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Strengthening the United Nations machinery for drug control

Preliminary report of the Executive Director on the progress made in the implementation of resolution 44/16, entitled "Strengthening the United Nations International Drug Control Programme and the role of the Commission on Narcotic Drugs as its governing body"

Report of the Executive Director

I. Introduction

1. In its resolution 44/16, entitled "Strengthening the United Nations International Drug Control Programme and the role of the Commission on Narcotic Drugs as its governing body", the Commission on Narcotic Drugs requested the Executive Director to submit a preliminary report on the progress made in the implementation of the resolution to the Commission at its reconvened forty-fourth session and a final report at its forty-fifth session. The present preliminary report is submitted pursuant to that request.

II. Strengthening the dialogue between Member States and the United Nations International Drug Control Programme

2. In its resolution 44/16, the Commission expressed the need to promote a regular dialogue between Member States and the United Nations International Drug Control Programme (UNDCP) on the planning and execution of drug control programmes, taking into account the priorities of Member States, in order to ensure their feasibility and success.

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3. In paragraph 1 of resolution 44/16, the Commission encouraged strengthened dialogue between Member States and the Secretariat on the priorities and management of the Programme, and requested the Executive Director to facilitate that process through thorough and timely preparation of the operational segment of the Commission on Narcotic Drugs and of regular inter-sessional meetings of the Commission. In paragraph 2, the Commission decided to use a sufficient number of meetings during the inter-sessional period to examine all the components of the normative and operational segments of its programme of work at the preparatory stage and to enhance its capacity to provide policy guidance to the Programme at its regular session. In paragraph 3, the Commission requested the Executive Director to convene informal joint meetings, at regular intervals, of donor and recipient countries on the planning and formulation of the operational activities of the Programme, including projects, taking into account the priorities of all Member States concerned.

Action taken

4. Since the forty-fourth regular session of the Commission, the Chairman of the Commission has convened two inter-sessional meetings, on 18 June and 16 November 2001. The inter-sessional meetings made organizational and substantive preparations for the reconvened forty-fourth session of the Commission.

5. Following the election of the Chairman and the bureau of the forty-fifth session of the Commission, inter-sessional meetings will be convened, in line with past practice, to address the normative and operational segments of the agenda of the Commission. In line with the practice established by the Chairman of the forty-fourth session of the Commission, regular consultations will continue to be held between the Chairman and the bureau of the Commission with the Executive Director, on the work of UNDCP, in particular to provide policy guidance to the Programme on a continuous basis.

6. Pursuant to paragraph 3 of resolution 44/16, informal joint meetings of donor and recipient countries were convened by the Executive Director of UNDCP and chaired by the Chairman of the Commission. The programme of work of the first and second informal joint meetings, held on 5 July and 13 July 2001, respectively, considered the following issues: elements of a strategy for Africa and the UNDCP programme in Afghanistan. The meeting of donor and recipient countries was informed of operational activities of UNDCP in the field of drug demand reduction. The meeting also discussed the structure and organization of future meetings. In future, the agenda will consist of three segments: a thematic segment, a governance segment related to the function of the Commission and a regional segment. At the third meeting of donor and recipient countries, held on 9 October 2001, the following issues were considered: initiatives to implement the Declaration on the Guiding Principles of Drug Demand Reduction (General Assembly resolution S-20/3, annex), a status report on the implementation of the recommendations of the Office of Internal Oversight Services and the external auditors and the UNDCP programme for Afghanistan. The agenda was agreed upon following consultations by the Chairman of the Commission with the extended bureau of the Commission, including the Chairman of the Group of 77 and the representative of the Presidency of the European Union.

III. Improving the effectiveness of the work of the Commission

7. In paragraph 5 of resolution 44/16, the Commission requested the Executive Director to present all reports and background information to the States members of the Commission early enough to enable them to prepare to take an active part in, and make a valuable contribution to, the deliberations of the Commission, including at its inter-sessional meetings. In paragraph 6, the Commission recommended that the resources of the bureau be used to advance its organizational work to enable it to devote more time to the substantive discussion of the normative and operational segments of its programme of work at the inter-sessional meetings.

Action taken

8. In compliance with the rules governing the issuance of documentation for intergovernmental meetings, the documents of the Commission will be made available to Member States six weeks prior to the meeting. The bureau of the Commission for the forty-fifth session, following its election in December 2001, as requested in Economic and Social Council

resolution 1999/30, will hold regular consultations to prepare for the normative and operational segments of the agenda of the Commission.

IV. Operations and management of the United Nations International Drug Control Programme

9. In paragraph 7 of resolution 44/16, the Commission encouraged the efforts of UNDCP to take appropriate measures to ensure and report on the implementation of independent, open and impartial evaluations of the operational activities of the Programme, including, inter alia, through the participation of recipients and external experts. In paragraph 8, the Commission encouraged the Executive Director to continue his efforts to maximize the effectiveness of the organization. In paragraph 10, the Commission called for continued improvement in management and a strengthened dialogue with Member States so as to contribute to enhanced and sustainable programme delivery.

Action taken

(a) Independent, open and impartial evaluations

10. Pursuant to paragraph 7 of resolution 44/16, the participation of Member States in the evaluation process, in particular at the field level, is being actively pursued. The yearly evaluation plan is kept updated and available to Member States on the secure web site for permanent missions. Field offices have been informed that the participation of donors and other partners in the evaluation process is to be encouraged. Currently, programme evaluations include the participation of all concerned partners in the evaluation process.

(b) Maximizing the effectiveness of the organization

11. To maximize the effectiveness of the organization, referred to in paragraph 8, programme oversight and monitoring have been strengthened, including the establishment of the Programme and Project Committee, the Programme and Financial Information Management System, a result-based budget approach, has been adopted and procedures for the evaluation of activities at the thematic and programme levels as well as of individual projects have been instituted.

(c) Establishment of the Programme and Project Committee

12. The Programme and Project Committee of the Office for Drug Control and Crime Prevention was established in March 2001 to serve as a corporate mechanism to review programme and project proposals. A pool of UNDCP staff is responsible for assessing the technical merits, budgetary soundness and funding prospects of each proposal. The Committee is responsible, inter alia, for assessing proposals, reviewing the related feasibility studies and funding potential and assessing the proposed execution modality as well as the consultations that have taken place with the implementing partner, as applicable. The terms of reference of the Committee are contained in the Executive Director's management instruction of 15 March 2001 (ODCCP/MI/11). During the period from March to September 2001, the Committee reviewed a total of 73 proposals received from UNDCP and the Centre for International Crime Prevention, 20 per cent of which were either turned down or returned to the submitting office for further work.

(d) Introduction of the Programme and Financial Information Management System

13. Both the Office of Internal Oversight Services and the Board of Auditors have recommended that the UNDCP financial management system be replaced in order to ensure adequate monitoring of and control over the funds entrusted to UNDCP and to enable timely dissemination of financial information to Member States. Based upon a feasibility study conducted in 1998, UNDCP began the design and implementation of a new Programme and Financial Information Management System based on an industry standard enterprise resource planning (ERP) system. Through this financial information system, managers will have access to real-time data on the financial status of all projects, including funding, budget and expenditure. Member States will be provided access via the Internet to financial status reports from the system. The system has six components, budget, funding, expenditures, accounts, reports and access for Member States, and will be fully operational in March 2002, with access by Member States on a restricted Internet site. Subject to availability of resources, a second phase for the system is expected to start in 2002 with a view to complementing the financial

management data with information on programme and project activities and results.

(e) Result-based budget approach

14. UNDCP has moved to a result-based management framework, focusing on performance and achievement of objectives. This involves explicit definition of achievable objectives at the programme and project level, clarifying linkages to mandates, in particular the action plans and measures agreed upon by the General Assembly at its twentieth special session. The first result-based management framework dealing with the proposed initial programme budget for the biennium 2002-2003 for the Fund of UNDCP will be before the Commission at its reconvened forty-fourth session. At the project level, substantive monitoring will be systematized across UNDCP and information made accessible through the introduction of a computer-based project management and monitoring tool, fully integrated with the financial monitoring tools of the Programme and Financial Information Management System. All managers will have access via the Intranet to project status and monitoring reports.

15. During the period 2002-2003, UNDCP will strengthen its capacity to monitor successes and failures in meeting the overall United Nations goals of substantially reducing global supply and demand for illicit drugs, to evaluate the impact of its programmes and to identify best practices in drug control and to report more systematically on global, regional and national trends, as well as on the progress of its programmes. This will be done in the framework of the result-based budget approach. Integral to that approach is a systematic and rigorous monitoring of progress towards results based on clearly defined indicators of achievement as well as objective means for their verification. Both quantitative and qualitative measures are needed. In addition to regular monitoring, periodic in-depth evaluation will be fully integrated into the result-based budget framework.

(f) Evaluation of activities at the programme level

16. A parallel development is the evaluation of activities at the programme level, in addition to the traditional project-by-project evaluation approach. The goal is to ensure the relevance of actions undertaken and provide a better basis to assess results, impact and sustainability. The first few programme-level evaluations are taking place in 2001. The number will be expanded in coming years until all programmes are regularly evaluated at that level. Evaluations of individual projects continue. It is anticipated that a total of some 55 project evaluations will be completed in the biennium 2000-2001. In the biennium 2002-2003, a series of thematic evaluations of UNDCP projects will take place. Such evaluations have as their primary goal to extract lessons and best practice in the various thematic areas of UNDCP work. Project and programme evaluations rely on the use of independent experts almost exclusively, while thematic evaluations involve a mix of in-house and independent experts.

(g) Project execution

17. Arrangements for the execution of projects are identified and adopted on a project-by-project basis depending on who is best placed to deliver the most cost-effective substantive, managerial and administrative support services. To deliver its technical assistance portfolio, UNDCP relies extensively on national execution modalities and other United Nations entities, such as the Food and Agriculture Organization of the United Nations, the World Health Organization and the United Nations Children's Fund, the Customs Cooperation Council (known as the World Customs Organization), as well as non-governmental organizations, according to their respective expertise. When justifiable, execution by UNDCP is chosen, relying on implementing partners to handle administrative matters. The United Nations Development Programme and the United Nations Office for Project Services are used for support to field offices in areas such as local recruitment, procurement and subcontracting. At headquarters, the United Nations Office at Vienna handles all such matters. Guidelines will be produced on criteria to facilitate selection of execution arrangements.

(h) Improving the organizational framework for the United Nations International Drug Control Programme

18. Several measures have been adopted to improve the organizational framework of UNDCP. Specific measures include a complete review of the reporting lines, in particular with regard to functions reporting directly to the Executive Director. A number of changes have been made regarding the delegation of authority. For example, in March 2001, authority was

delegated to all directors for staff travel, approval of consultancies, meetings and seminars. Operational and structural synergies between UNDCP and the Centre for International Crime Prevention have been identified and implemented. A detailed implementation and status report on all management measures was addressed to the Office of Internal Oversight Services and Member States on 13 September 2001.

V. Funding of the United Nations International Drug Control Programme

19. In paragraph 11 of resolution 44/16, the Commission urged all Governments to provide, to the fullest extent possible, financial support to the Programme, and requested the Executive Director to continue his efforts, in cooperation with Member States, to broaden the donor base and increase voluntary contributions to the Fund of UNDCP, including the general-purpose fund.

Action taken

20. The funding policy of UNDCP has been revised and related management instructions were issued by the Executive Director in May 2001. The revised policy introduces a coherent system of checks and balances designed to promote those programmes and projects which can count on reasonable assurances of donor support and to discard programmes and projects that do not offer good funding prospects. All new programme and project ideas are shared with potential donors at a very early stage to determine their funding viability. Equally important, no UNDCP operational activity will be launched before at least 50 per cent of the required funding has been pledged in writing.

21. UNDCP is in the process of preparing a new fund-raising strategy, targeting, inter alia, foundations, the private sector through partnership-building and various funds. The field offices will be active in promoting fund-raising activities at the local level. The new strategy will be discussed with Member States and presented to the Commission at its forty-fifth session. Other avenues to be pursued relate to the allocation of resources from confiscated assets. One donor country has already pledged such funds to UNDCP, while another Government recently adopted a decree in that respect.

22. Considerable success has been achieved in mobilizing resources under cost-sharing arrangements, for example with four Latin American and some African countries. Cost-sharing arrangements are normally worked out in connection with a loan taken by the Government concerned from a multilateral lending institution. A portion of the borrowed funds is then provided to UNDCP by the Government for specific projects in the country. Cost-sharing arrangements of that type are indicative of the greater role being played in drug control by the international lending institutions. For example, both the World Bank and the Inter-American Development Bank have granted loans to Latin American countries for drug control work. The Asian Development Bank is providing a loan to the Lao People's Democratic Republic for economic development in areas affected by the illicit cultivation of opium poppy. UNDCP funds a portion of the same project as part of its alternative development activities. The overall project has been designed collectively with the Lao authorities. The Libyan Arab Jamahiriya is contributing the full cost of a UNDCP multisectoral drug control assistance project in that country. With the signing of agreements on funding programmes dealing with the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and drug abuse, inter-agency cooperation between UNDCP and the Joint United Nations Programme on HIV/AIDS is growing. Those initiatives underline the role of UNDCP as a catalyst for mobilizing resources from a variety of sources, whether or not the funds ultimately come through UNDCP.

23. The business plans that have been developed for Latin America in furtherance of the objectives adopted by the General Assembly at its the twentieth special session are built around a similar principle. UNDCP itself funds some of the activities, while the international financial institutions and other aid agencies finance other parts of the work. UNDCP has an important catalytic role to play in identifying sources of funding and in facilitating project design and related interaction among the partners.

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Item 2 of the provisional agenda*
Follow-up to the twentieth special session of the General Assembly: examination of the single biennial report of the Executive Director on the progress achieved by Governments in meeting the goals and targets for the years 2003 and 2008 set out in the Political Declaration adopted by the Assembly at its twentieth special session

Consolidated first biennial report of the Executive Director on the implementation of the outcome of the twentieth special session of the General Assembly, devoted to countering the world drug problem together

Report of the Executive Director

Summary

The present report, prepared pursuant to Commission on Narcotic Drugs resolution 42/11 of 1 December 1999, provides an overview of the efforts of Governments to meet the objectives and target dates set out in the action plans and measures adopted by the General Assembly at its twentieth special session, devoted to countering the world drug problem together, held in New York from 8 to 10 June 1998. In compliance with that resolution, the report presents an analysis of the efforts of Governments to implement the action plans and measures adopted, drawing on information provided by Governments through biennial questionnaires and on other sources available to UNDCP. The report should be examined in conjunction with the initial biennial report of the Executive Director submitted to the Commission for consideration during the first part of its forty-fourth session in March 2001 (E/CN.7/2001/2). The present report reviews action taken by the Commission under the relevant mandates and analyses data received from Governments reporting on the action plans and measures adopted by the General Assembly at its twentieth special session.

* E/CN.7/2001/1.

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I. Introduction

1. At its twentieth special session, devoted to countering the world drug problem together, the General Assembly adopted a Political Declaration, the Declaration on the Guiding Principles of Drug Demand Reduction and measures to enhance international cooperation to counter the world drug problem, including: (a) the Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and Their Precursors; (b) measures for the control of precursors; (c) measures to promote judicial cooperation; (d) measures to counter money-laundering; and (e) the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development (resolutions S-20/2, annex, S-20/3, annex, and S-20/4 A to E, respectively). In its resolution 54/132 of 17 December 1999, the General Assembly adopted the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction, annexed to that resolution.

II. Action by the Commission on Narcotic Drugs

A. Mandate of the Commission emanating from the twentieth special session of the General Assembly and action by the Assembly at its fifty-fourth session

2. In paragraph 20 of the Political Declaration adopted at its twentieth special session, the General Assembly called upon all States to report biennially to the Commission on Narcotic Drugs on their efforts to meet the goals and targets for the years 2003 and 2008, and requested the Commission to analyse those reports in order to enhance the cooperative effort to combat the world drug problem. In its resolution 54/132, entitled "International cooperation against the world drug problem", the General Assembly requested the Commission, with the support of UNDCP, to continue its work expeditiously, within the established time-frames, on the elaboration of guidelines to facilitate biennial reporting by Governments on the progress achieved in meeting the goals and targets for the years 2003 and 2008, as set out in the Political Declaration. As requested by the General Assembly in its resolutions 54/132 and 55/65, the Secretary-General submitted to the General Assembly at its fifty-fifth and fifty-sixth sessions, respectively a report on the implementation of the outcome of the twentieth special session, including on the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction (A/55/126). Pursuant to a request made by the Assembly in its resolution 54/132, the Executive Director of UNDCP submitted to the Commission at its forty-third session a report on the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction (E/CN.7/2000/3) and a report on the follow-up to the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development (E/CN.7/2000/6).

B. Action by the Commission at its forty-second and forty-fourth sessions

3. At its forty-second regular session, held from 16 to 25 March 1999, the Commission on Narcotic Drugs examined its new mandates emanating from the twentieth special session of the General Assembly and adopted resolution 42/4, entitled "Guidelines for reporting by Governments on the implementation of the Global Programme of Action and on the progress achieved in meeting the goals and targets for the years 2003 and 2008, as set out in the Political Declaration adopted by the General Assembly at its twentieth special session".

4. At its reconvened forty-second session, held on 30 November and 1 December 1999, the Commission adopted resolution 42/11, entitled "Guidelines for reporting on the follow-up to the twentieth special session of the General Assembly". In that resolution, the Commission adopted a unified single questionnaire that included the information required for reporting on the action plans and measures adopted by the Assembly at its twentieth special session, on the understanding that the questionnaire would be streamlined and amended during the reporting period. On the basis of those replies, the Executive Director would prepare, for submission to the Commission, a single biennial report for consideration at its forty-fourth session in 2001. The Commission indicated that the report should cover the difficulties encountered and the efforts of Governments in meeting the objectives and target dates agreed upon by the General Assembly, on the basis of a comprehensive, confidential and balanced treatment of information covering all aspects of the drug problem. The report should also contain information on global trends, organized by region. UNDCP was called upon to draw on its expertise and experience gained from its global technical assistance programmes and on information collected under various relevant questionnaires.

5. The Commission, in its resolution 42/11, established 30 June 2000 as the deadline for Governments to submit to the Executive Director their biennial questionnaires, in order to provide the necessary time for analysis of the information and reporting to the Commission. By that date, the Secretariat had received replies from only 15 States and territories. By 8 November 2000, 81 questionnaires[1] had been received, on the basis of which an initial version of the first biennial report of the Executive Director was prepared for consideration by the Commission during the first part of its forty-fourth session in March 2001. During its consideration of the initial report (E/CN.7/2001/2), the Commission was informed that UNDCP had received additional questionnaires after 8 November 2000.

6. Following its review, during the first part of its forty-fourth session, of the follow-up to the twentieth special session of the General Assembly, the Commission adopted resolution 44/2, in which it requested the Executive Director to prepare an addendum to the first biennial report, including all replies to the biennial questionnaire submitted after 8 November 2000, for consideration by the Commission at its reconvened forty-fourth session. To avoid having the assessment for the first reporting cycle split into two reports, with the initial report covering 81 questionnaires and an addendum covering 28 questionnaires, the Commission, at its inter-sessional meeting held on 18 June 2001, requested the Executive Director to prepare a consolidated biennial report. The present report encompasses all the replies contained in the 81 questionnaires received from Governments by

8 November 2000 for the first reporting cycle, on the basis of which an initial report was prepared, and those contained the additional 28 questionnaires received after that date. The preparation of the present consolidated first biennial report, reflecting all the replies of Governments for the first reporting cycle (109), will enhance the ability of the Commission to measure progress made between the reporting cycles on the basis of biennial reports to be prepared in the years 2003, 2005, 2007 and 2008.

7. In its resolution 44/2, the Commission also requested the Executive Director to identify elements of the biennial questionnaire that may need adjustment, taking into account the difficulties encountered and deficiencies perceived in completing the first biennial questionnaire, and to submit proposals for amendments to the Commission for adoption at its reconvened forty-fourth session. The revised biennial questionnaire is before the reconvened forty-fourth session of the Commission in document E/CN.7/2001/17.

III. Reporting on the action plans and measures adopted by the General Assembly at its twentieth special session

8. The present section contains an analysis of information submitted by Governments, through biennial questionnaires, on the various action plans and measures adopted by the General Assembly at its twentieth special session. The questionnaire covers all sectors of drug control, and information has been provided by different ministries and agencies, according to their fields of competence.

9. The response rate of 109 questionnaires for the first reporting cycle was satisfactory. By comparison, 120 States submitted the annual reports questionnaire in 1999. Due consideration should be given the fact that the biennial questionnaire is new and in its first reporting cycle. In future, as the reporting mechanism becomes established, response rates are expected to improve. However, since the questionnaire is an important instrument to monitor the progress made in meeting the challenges taken up at the special session, the Commission may wish to consider the possibility of encouraging greater compliance, in particular the timely submission of questionnaires to the Secretariat.

10. As a biennial exercise, the next cycle of data collection through the follow-up questionnaire includes 2002, with an analysis of the information being submitted in a report to the Commission at its forty-sixth session in 2003. That should provide two sets of standardized data to facilitate the mid-term review and the preparation of a report to the General Assembly in 2003. Given the rates of response to the initial exercise, the Commission should invite Governments to provide comprehensive data of sufficient quantity and quality to enable it to gauge progress. The Commission may wish to request those States that did not reply to the initial request to submit their questionnaires in 2002.

11. Figure I provides a regional breakdown of the total number of responses received for the first reporting cycle. Table 1 presents an analysis of response rates by region, in terms of the total number of States and territories that could have responded from each geographical region. The information suggests that the response rates of developed countries, in particular those in Europe, were above those of developing countries, most notably those in Africa and Asia. The overall

regional breakdown obscures some subregional differences. For example, within Asia, over half of the States of east and south-east Asia completed the questionnaire, as opposed to only 25 per cent of the States of central Asia and the Transcaucasian region. Similarly, southern and east African countries were poorly represented within the total response rate for the continent, and Caribbean countries were less likely to respond than those in North, Central and South America. However, it should be noted that, compared with the analysis presented in the initial report, some improvement is evident in terms of the regional representativeness of the responses received. In table 1, the numbers in brackets, which show the response rates by 8 November 2000, contrast with the response rates found when the additional 28 countries were included in the analysis. The inclusion of additional responses to some extent improved the regional balance of the questionnaires submitted. In particular, the percentage of responses from Asian and African countries increased.

Figure I
Percentage of all responses received by region
(Total=109)

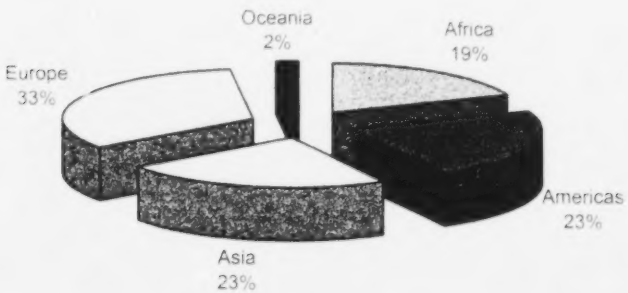


Table 1
Analysis of responses by region

Region	*Number of responses available for analysis (total=109)*	*Percentage of all responses*	*Estimated percentage of those responding in each region*
Africa	21 (11)	19 (14)	37 (21)
Americas	25 (23)	23 (28)	48 (62)
Asia	25 (13)	23 (16)	45 (28)
Europe	36 (32)	33 (40)	72 (71)
Oceania	2 (2)	2 (2)	15 (15)

Note: Response rates by 8 November 2000 are presented in brackets.

12. The information contained in the questionnaires is the basis for the analysis given below. As requested in Commission resolution 42/11, other information available to UNDCP, drawn mainly from its technical assistance portfolio, has also been considered. The action plans and measures adopted by the General Assembly at its twentieth special session served as a catalyst for action, in particular in the implementation of the international drug control treaties. They also complement the Global Programme of Action adopted by the General Assembly at its seventeenth special session (resolution S-17/2, annex), on 23 February 1991. Several activities reported by Member States in the questionnaire were undertaken to comply with earlier mandates, such as those relating to precursors and amphetamine-type stimulants (ATS), respectively, arising from article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988[2] and from the Convention on Psychotropic Substances of 1971.[3] The analysis below accordingly reflects the action taken by Member States, as reported in the questionnaire, without going into a detailed assessment of the effectiveness of such action.

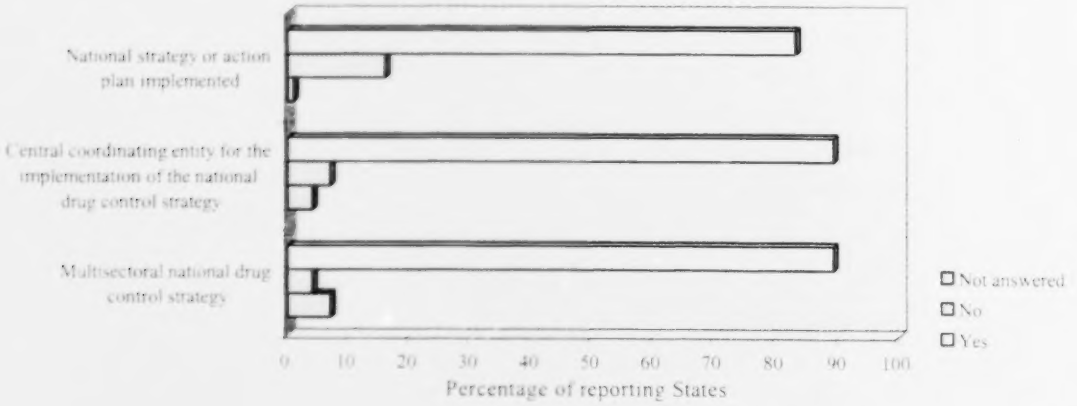
13. The action plans and measures adopted at the twentieth special session have become the global point of reference at the national and regional levels. They have had a major impact, as Governments of States ravaged by the effects of illegal drugs over the past three decades could at last see their national efforts as part of a global strategy. For States such as Bolivia, Colombia, the Lao People's Democratic Republic, Pakistan, Peru and Thailand, which have resolutely committed themselves to the eradication of illicit cultivation of the coca bush and opium poppy through alternative development, the special session brought recognition from the international community for their efforts.

14. National drug control strategies or plans have been adopted or updated to include the goals and targets that emerged from the special session (see figure II). A national drug control strategy or plan is an essential instrument to ensure careful planning and coordinated action that addresses all aspects of the drug problem and the interactions between different areas of activity such as law enforcement, health, education and economic development. National strategies or plans can legitimate the balanced approach between demand reduction and supply reduction measures. Of the 109 Governments replying to the biennial questionnaire, 91 (84 per cent) indicated that they had adopted a national drug strategy or plan. Some Governments specified that, while there was an overall strategy to combat illicit drugs, it was not contained in a single, comprehensive action plan. Eighteen Governments (16 per cent) replied that they either did not have a national drug strategy or action plan or were in the process of elaborating one. In several countries, ongoing action plans and strategies were being adjusted to include the goals and approach adopted at the special session. Some States were receiving assistance in the preparation of their national plans.

15. In many cases, the national strategic framework and programmes place special emphasis on the synergies and complementarity between control measures, health, law enforcement policies and programmes. Those efforts have facilitated the coordination of law enforcement, prevention, treatment and social reintegration programmes,[4] resulting in a more balanced approach with greater emphasis on demand reduction. Of the 109 Governments replying to the biennial questionnaire, 73 per cent indicated that they have incorporated the Guiding Principles of Drug

Demand Reduction into their national drug strategies or action plans. Some States indicated that they had not yet incorporated the Guiding Principles into their national strategies or plans.

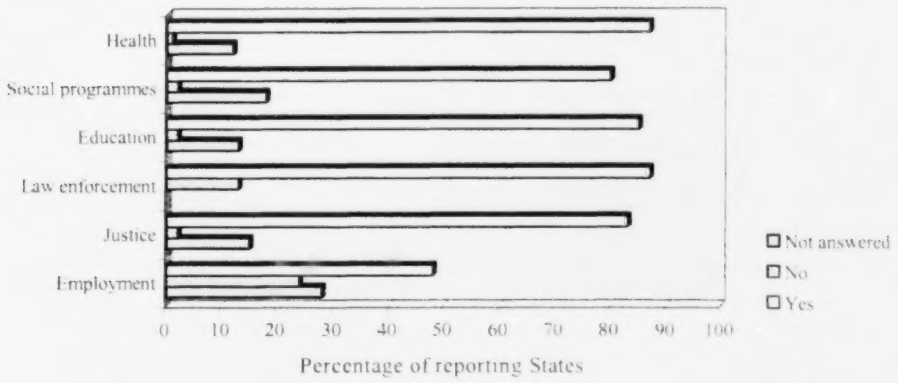
Figure II
National drug control strategies adopted
(Percentage of total replies)



16. Effective coordination between the various sectors is an essential requirement for the implementation of the national drug strategy or action plan. Most Governments (89 per cent of the reporting States) have established a central coordinating entity to implement their national drug strategies or action plans.

17. In 97 countries (89 per cent of those reporting), the national drug strategy or action plan is multisectoral. The main sectors covered are health (in 95 States, or 87 per cent), social programmes (in 87 States, or 80 per cent), education (in 93 States, or 85 per cent), law enforcement (in 95 States, or 87 per cent), justice (in 91 States, or 84 per cent) and employment (in 52 States, or 48 per cent) (see figure III). The involvement of non-governmental organizations, civil society associations, churches, charitable funds and communities in the formulation and implementation of national drug strategies was mentioned in almost all the replies. The involvement of youth organizations was included in the national strategies of several States; environmental management was covered in four replies; and the requirement to consult a wide array of experts and officials while developing the national drug control strategy was mentioned by one State. In view of the high political commitment attached to combating the drug problem and the importance of coordination and leadership, the national coordinating entities for the implementation of the national drug strategy in several States, including Italy and Japan, was chaired by the head of Government. Other States have established national inter-agency committees at the ministerial level to enhance coordination.

Figure III
Main sectors represented in national drug control strategies
(Percentage of total replies)



A. Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction

18. Section VIII of the biennial questionnaire deals with drug demand reduction and consists of 29 questions organized into seven sections. The sections address political and strategic responses (the commitment), information resources (assessing the problem), responses (tackling the problem), methods of working (forging partnerships), working with vulnerable or special populations (focusing on special needs), dissemination and education (sending the right message) and training and coordination issues (building on experience). Each topic is addressed below in the order in which it appears in the questionnaire. Qualitative comments and other related materials are also referred to where appropriate. Percentages will be based either on the number of responses to any given question or the total number of questionnaires covered by the report (the whole sample comprises 109 States that submitted replies). The base used for calculating percentages is noted in the text.

1. The commitment

19. Questions dealing with the commitment explore the political and strategic responses to drug demand reduction. A national strategy for drug demand reduction is important in coordinating responses and ensuring good practice and a balanced approach between the measures to reduce demand and supply enshrined in the Declaration on the Guiding Principles of Drug Demand Reduction. Such a strategy also provides a basis for promoting multisectoral and community-wide responses, as called for in the Declaration. Appropriately, the first question in section VIII asks States whether they have a national strategy for demand reduction. That question drew a positive response in the overwhelming majority of cases. Of the States replying, 84 per cent reported that they had a national strategy and 12 per cent that they did not, while the remaining 4 per cent did not answer the question. Some States provided details of their national plans and other budgetary and related

information. The examples given suggested that some States had invested considerable effort into developing strategic plans and that there was also a significant overlap between States in respect of the topics covered. The sharing of experiences between Member States in that area might therefore prove useful.

20. It is difficult to judge the merit of individual strategic responses from such a simple question. In many cases, demand reduction strategies appeared to be incorporated into national drug strategies that embraced both demand and supply issues. The question of balance remains, as does the extent to which national strategy has an impact on practice. However, most States (68 per cent) that had a national strategy reported, in a supplementary response, that it incorporated the Guiding Principles of Drug Demand Reduction. That suggests that their national strategic planning took into account the agreed principles of good practice. Twelve per cent of States reported that their strategic planning did not incorporate the Guiding Principles, and a further 20 per cent of States did not respond, possibly because there was some uncertainty about how far their national strategies did reflect the Guiding Principles. Altogether, 54 of the States replying (67 per cent) reported that they had a national strategy that incorporated the Guiding Principles. While that still leaves room for improvement in both the number of States with a national demand reduction strategy and the number of those with a strategic response that incorporates the Guiding Principles, it is encouraging that the issue elicits a positive response from so many Member States.

21. A further indicator of both the appropriateness of national strategies and the extent to which they are in accord with the Guiding Principles is whether their formation was based on an assessment of the nature of the problem. Central to the Declaration on the Guiding Principles of Drug Demand Reduction is the principle that responses should be consistent with the evidence and that demand reduction programmes should therefore be based on a regular assessment of the situation. Most States (74 per cent) that had a national strategy reported that such was the case.

22. Almost all States (84 per cent) with national demand reduction strategies also reported that they had a central coordinating entity responsible for its implementation. Coordinating bodies varied, but most States reported that responsibility rested with either the Ministry of Health or the Ministry of Justice, or with some form of multisectoral drug commission known as, for example, the National Commission on Narcotic Drugs, the Central Committee for Drug Abuse Control or the Drug Control Committee. Regardless of where responsibility for the national strategy lay, nearly all countries reported that a multisectoral approach was adopted.

23. A comprehensive approach to demand reduction, as promoted in the Guiding Principles, requires support, commitment and input from a wide range of both governmental and non-governmental agencies. Therefore, not only should responses be formulated at the national level, but there should also be active participation of appropriate bodies at the local community level. The extent to which that was happening in both policy formulation and implementation is covered in question 69, which asks which governmental, public and official agencies are involved in developing and implementing the national strategy for drug demand reduction at each structural level (national, regional and local). The question also asks about the involvement of civil society (non-governmental organizations and trade unions) in the same process. The data are summarized in table 2, which provides the

percentage of those responding positively to the question, based on both the total sample, which comprises the 109 reporting States, and the number of replies to each part of the question (using the total number of answers to that particular question as the basis for the calculation).

Table 2
Involvement of different sectors in developing and implementing a national strategy for drug demand reduction

	Involvement at the national level			*Involvement at the local level*			*Involvement of civil society*		
Sector	*% of respondents*	*Responses (positive/total)*	*% of total sample*	*% of respondents*	*Responses (positive/total)*	*% of total sample*	*% of respondents*	*Responses (positive/total)*	*% of total sample*
Health	100	101/101	93	89	81/91	74	90	74/82	68
Social services	97	93/96	85	88	77/88	71	86	69/80	63
Education	96	94/98	86	89	80/90	73	85	66/78	61
Law enforcement	98	97/99	89	84	73/87	67	55	35/64	32
Justice	96	89/93	82	82	65/79	60	54	32/59	29
Employment	74	58/78	53	68	48/71	44	60	38/63	35
Other	83	50/60	46	67	29/43	27	57	21/37	19

24. Such an approach has been adopted to allow reflection on the sample as a whole, and because of the apparent tendency of those responding not to answer in the negative. That is, missing values increase for those questions where a lower positive response rate could reasonably be expected. The problem of distinguishing negative responses from non-responses is also apparent elsewhere in the questionnaire, where the design permits only positive responses. Nonetheless, regardless of the base used, there is evidence of considerable multisectoral and multi-agency cooperation. Not surprisingly, at both national and local level, health agencies are the most commonly reported as being involved in formulating and implementing a national demand reduction strategy. The involvement of civil society (non-governmental organizations etc.) was also most often reported in the health sector. Social services, education and justice agencies were also almost always involved in formulating and implementing national strategies. About a half of all States reporting also noted that employment agencies were involved at national level in the formulation and implementation of a demand reduction strategy. The link, in many countries, between drug abuse, social exclusion and economic deprivation is noteworthy, as is the reported considerable input from civil society. Such input is in accordance with the Declaration on the Guiding Principles of Drug Demand Reduction, which refers to the importance of forging partnerships between governmental and non-governmental bodies.

25. Question 70 asks whether the implementation of the national drug demand reduction strategy is supported by a dedicated budget. All policy initiatives have to compete for often scarce budgetary resources to secure the allocation required for their successful implementation. The allocation of resources for the specific purpose of implementing the national strategy for drug demand reduction is therefore likely

to be an indicator of the relative importance that Governments attach to demand reduction and to the practical impact of a policy initiative in that area. However, a note of caution is required, since governmental financing is a complex issue, and the absence of a dedicated budget does not necessarily rule out the availability of resources through other channels. That being said, it is encouraging that the majority (60 per cent) of States with national strategies reported allocating dedicated budgets for implementation.

26. The emphasis placed by the Guiding Principles on assessment and on the adoption of an evidence-based approach was noted earlier in the present report. Those principles hold true for national strategies. The overwhelming majority (69 per cent) of States with national strategies reported having a framework in place for assessing and reporting on the results achieved. While the mechanisms used for that purpose are likely to vary considerably in practice, a recognition of the need for evaluation and assessment remains important for the majority of countries that have developed demand reduction strategies.

2. Assessing the problem

27. The biennial questionnaire addressed the topic of assessment in detail. Two thirds (62 per cent) of all States completing the questionnaire reported that they had a national or regional programme for research on drugs, drug dependence and drug demand reduction. Clearly, the scale and intensity of research activity varies greatly between States. The United States, for example, reported investing $668,100,000 in demand reduction research in 1999 alone. Other States, such as Belize, reported that a lack of resources hindered any sort of research activity. Mention was also made of regional and national research coordination bodies that facilitated information-gathering, such as the European Monitoring Centre for Drugs and Drug Addiction and, in the United States, the National Institute on Drug Abuse. Some States provided details on impressively comprehensive programmes. Mexico, for example, invests in a range of drug epidemiological surveillance systems, including general population surveys, student surveys, treatment reporting networks and trend analysis.

28. Numerous possible topics are relevant to research work on drug issues and many scientific disciplines are actively involved in such research. Of particular interest, however, to activities designed to follow up the special session and of clear policy relevance is the extent of drug abuse in a country and the associated patterns and trends. Developments have been made in the methods available to conduct surveillance work and the issues are now far better understood than was previously the case. Methodological improvements have tended to focus on the development of standardized indicators, multi-method analytical techniques, improvements in survey techniques and the development of indirect statistical methods for prevalence estimation. Data on global patterns and trends in drug abuse (drug epidemiology) are collected in part two of the annual reports questionnaire submitted by Governments to the Commission. Given the importance of such information and its direct policy relevance, it is encouraging that 61 per cent of the States completing the biennial questionnaire report that they have a framework for the continued surveillance of drug abuse problems. It is also interesting that drug epidemiology and prevention were cited as the two areas where most research was currently being conducted. That finding corresponds to answers given to question 74, on the subject

areas in which research results were published or research was carried out in Member States during the reporting period. These data are presented in table 3. Once again, there appears to be a tendency for respondents not to answer questions in the negative. As such, the percentage based on all States responding to the biennial questionnaire may be a better indicator of overall activity levels than the percentage based on rates of response to particular questions. Although it could also be that the person or agency responsible for completing the form was not clear whether the particular research activity was or was not being conducted. In any case, the data suggests differences in the relative frequency of research activity in the different topic areas. It appears, somewhat predictably, that less research is being conducted in the areas of cost analysis, biochemistry and pharmacology, and most research in the areas of prevention, treatment and epidemiology, with the general categories of sociology and drug policy falling somewhere in between. Of direct policy relevance is investment in prevention, treatment and epidemiological research. Research into cost analysis is theoretically complex and depends on the availability of accurate epidemiological and other data. UNDCP has been supporting such work, but it remains a topic requiring long-term development, and only a few countries have yet been able to produce credible detailed estimates in that area.

Table 3
Areas in which research results were published or research was carried out during the reporting period

	Positive responses		
Area	*Percentage of respondents*	*Responses (positive/ total)*	*Percentage of total sample*
Biochemistry	43	24/56	22
Pharmacology	55	35/64	32
Sociology	70	50/71	46
Epidemiology	83	63/76	58
Prevention	87	66/76	61
Treatment	83	63/76	58
General drug policy	67	47/70	43
Cost analysis	41	23/56	21

29. The importance of a national strategic response, based on a sound assessment of the nature of the drug abuse problem and facilitating the development of demand reduction programmes, is reflected in the Declaration on the Guiding Principles of Drug Demand Reduction. The Declaration calls on States to adopt a comprehensive approach to drug problems through programmes addressing all areas of demand reduction. In the biennial questionnaire, the extent to which Member States are engaging in activities in each area of demand reduction is assessed. Demand reduction activities are divided into three specific areas: prevention, treatment and rehabilitation; and reducing the adverse health and social consequences of drug abuse. States are asked to report whether they are conducting programmes in each of those areas in a number of different settings. In assessing the delivery of demand reduction activities, it is important to understand how comprehensive the approach is in terms of coverage. To that end, a supplementary question is included that asks

whether the particular programme is "isolated sporadic" or "relatively extensive". As the Declaration also calls for demand reduction activities to be "gender-sensitive" and "evaluated", two further supplementary questions address those aspects. In interpreting the data, it should be remembered that the actual configuration of activities in any country is likely to be influenced to a great extent by the nature of the national drug abuse problem.

30. Table 4 reports data on prevention activities broken down into the following three general areas of work: information and education about drugs and drug abuse; life-skills development, and providing alternatives to drug use. States are also asked to rate the extent of activities in various settings. The data indicates that most prevention work is occurring in schools and involves providing information. It should be remembered, however, that there is a tendency for both life-skills development and alternatives to drug use to be targeted at particular populations considered to be at risk, rather than necessarily being seen as appropriate approaches for the general population. They may also be more complex and costly to implement than simple information-providing activities. Those factors may partly account for the more extensive reporting of information and drug education work as prevention activities.

31. Sixty-eight per cent of States reported relatively extensive school-based drug education programmes. Some States reported them as part of the formal school curriculum; for example, since September 2000, Ireland has included education about drugs and drug abuse in classes on social, personal and health education in secondary-level schools. Similarly, Australia has developed drug education classes in school as part of a national school drug education strategy. Just over half of the States also reported extensive community-based education programmes and slightly less than half (40 per cent) noted extensive prevention programmes in health centres. About a third of all programmes were reported as gender-sensitive, although the criteria on which that judgement is based remain unclear and may be a topic worthy of more detailed future consideration and discussion. School-based drug education programmes were also most likely to be evaluated (40 per cent). Education programmes in the correctional system and the workplace were the least reported. That finding is disappointing, because both settings may be particularly appropriate for such drug prevention work.

32. Life-skills development refers to a range of activities designed to strengthen social and coping abilities to enable the individual to avoid taking drugs and developing drug problems (see table 4, section B). Life-skills development programmes were more commonly reported in school settings. Such work is sometimes considered particularly appropriate for high-risk or vulnerable populations. That is probably reflected in the fact that 27 per cent of the States reported extensive prison life-skills programmes. The workplace was again the setting in which such work was least often conducted. Similar findings apply to providing alternatives to drug use. Such programmes encourage positive activities and training to displace the role that drug use might play in a person's life. It is also common for that approach to be regarded as particularly appropriate for young people or for those considered to be at increased risk of developing drug problems (see table 4, section C).

Table 4
Extent of prevention activities

	Extent of programme			*Programme execution*			
				Gender-sensitive		*Results evaluated*	
Setting	*Not known/ No response* (%)	*Isolated* (%)	*Relatively extensive* (%)	*% of total sample*	*% of States reporting activities*[a]	*% of total sample*	*% of States reporting activities*[a]
A. Information and education about drugs and drug abuse							
Schools	5	27	68	31	33	40	43
Community-based	15	34	51	28	33	33	39
Workplace	33	50	17	21	32	20	31
Correctional system	26	42	32	26	35	19	26
Health centres	28	32	40	25	34	28	38
Other	73	7	20	9	33	14	50
B. Life skills development							
Schools	23	28	49	31	40	29	38
Community-based	30	39	31	24	34	19	28
Workplace	53	37	10	19	41	12	25
Correctional system	43	30	27	21	37	14	24
Health centres	41	30	29	20	34	17	28
Other	90	6	4	4	36	2	18
C. Providing alternatives to drug use							
Schools	30	22	48	26	37	26	34
Community-based	37	28	35	22	35	18	29
Workplace	60	31	9	11	27	10	25
Correctional system	49	28	23	22	43	15	29
Health centres	51	25	24	20	42	17	34
Other	87	5	8	3	21	4	29

[a] Isolated or extensive.

33. The treatment and rehabilitation of those with drug problems is clearly an important area of demand reduction work. While treatment programmes are relatively costly and complex, there is a good body of evidence that they can produce results and be cost-effective. Amalgamating treatment and rehabilitation services is difficult because of the diversity of activities and settings found in different Member States. The biennial questionnaire groups treatment and rehabilitation services under the following headings: detoxification; substitution therapy; non-pharmacological treatment; and social reintegration. Corresponding data can be found in table 5.

Table 5
Treatment and rehabilitation interventions

	Extent of programme			*Programme execution*			
	Not known/ No response	*Isolated*	*Relatively extensive*	*Gender-sensitive*		*Results evaluated*	
Setting	*(%)*	*(%)*	*(%)*	*% of total sample*	*% of States reporting activities*[a]	*% of total sample*	*% of States reporting activities*[a]
A. Detoxification							
General and psychiatric hospitals	14	34	52	29	34	37	43
Primary care and other health facilities	35	47	18	19	30	20	31
Correctional institutions	41	39	20	22	38	12	20
Community institutions	58	25	17	16	38	12	29
Specialized addiction treatment (residential)	27	16	57	29	41	34	47
Specialized addiction treatment (non-residential)	28	29	43	26	35	31	43
Social services	57	25	18	14	32	12	28
Other	94	3	3	3	50	1	17
B. Substitution treatment (therapy), excluding short-term detoxification							
General and psychiatric hospitals	56	26	18	15	33	17	40
Primary care and other health facilities	63	19	18	13	34	16	41

	Extent of programme			Programme execution			
	Not known/ No response	Isolated	Relatively extensive	Gender-sensitive		Results evaluated	
Setting	(%)	(%)	(%)	% of total sample	% of States reporting activities[a]	% of total sample	% of States reporting activities[a]
Correctional institutions	69	17	14	13	41	7	24
Specialized addiction treatment (residential)	49	28	23	18	36	19	38
Specialized addiction treatment (non-residential)	41	17	42	19	33	28	48
Social services	76	9	15	12	50	9	38
Other	96	1	3	2	50	1	25
C. Non-pharmacological treatment							
General and psychiatric hospitals	45	28	27	15	27	23	42
Primary care and other health facilities	54	29	17	12	26	12	26
Correctional institutions	51	25	24	19	40	18	38
Specialized addiction treatment (residential)	36	18	46	26	40	31	49
Specialized addiction treatment (non-residential)	33	21	46	21	32	32	48
Social services	60	24	16	11	27	13	32
Other	95	2	3	4	80	1	20
D. Social reintegration							
General and psychiatric hospitals	48	34	18	22	42	18	35
Primary care and other health facilities	57	35	8	15	34	11	26
Correctional institutions	43	33	24	17	31	16	27

	Extent of programme			Programme execution			
	Not known. No response	Isolated	Relatively extensive	Gender-sensitive		Results evaluated	
Setting	(%)	(%)	(%)	% of total sample	% of States reporting activities[a]	% of total sample	% of States reporting activities[a]
Specialized addiction treatment (residential)	38	21	43	22	35	26	41
Specialized addiction treatment (non-residential)	37	26	37	26	41	31	50
Social services	46	27	27	18	34	17	31
Other	92	4	4	4	44	3	33

[a] Isolated or extensive.

34. Detoxification is among the better-known treatments for drug problems. It should be noted, however, that a wide range of procedures might fall under that heading. Procedures used for detoxification are likely to vary both by drug type and by country. For example, Indonesia reports a traditional approach using religious methods and an ultra-rapid one-day detoxification. Elsewhere, detoxification for opioid problems may involve the prescription of a reducing dose of a substitute opioid, such as methadone, over a number of days or weeks. It should not, therefore, be assumed that the responses given describe similar treatment regimes. That is most probably true for the use of detoxification medicines, where considerable variation in practice is likely, ranging from herbal treatments to the use of opioid drugs. Detoxification was most commonly reported in specialist centres with treatment being received on either a residential or ambulatory basis. Over half of the States reported extensive residential detoxification services. Fifty-two per cent of States provided extensive detoxification services in general or psychiatric hospitals. Given the possible difficulties of providing treatment services in that setting, it is interesting to note that 20 per cent of States reported extensive detoxification facilities within the criminal justice system.

35. Drug substitution treatment involves giving prescribed medicines to patients with drug problems to replace the use of illicit drugs, often but not necessarily for protracted time periods. Substitution treatment is most commonly associated with heroin and other opioids. For purposes of clarity, the question excludes short-term drug therapies intended for detoxification. The biennial questionnaire yields data on the provision of substitution therapy that are broadly similar to those found for detoxification. Residential substitution treatment is extensively provided by 23 per cent of States reporting, and offered extensively on an ambulatory basis by a further 42 per cent. One interesting difference reported is the greater involvement of social services in substitution therapy than in detoxification. Also noteworthy is that about a third of the States reported extensive substitution therapy in correctional institutions. With regard to programmes being gender-sensitive, the results are again

somewhat disappointing. However, low rates of response to that question suggest that there may be some definitional problems. Overall rates of programme evaluation also leave considerable room for improvement. As with the other treatment modalities, specialized services were most likely to be subject to evaluation. But even in such cases, and by the most positive interpretation of the data, only about half of all specialized non-residential services were reported as evaluated.

36. Reports on the provision of non-pharmacological treatments follow a similar pattern to both detoxification and substitution therapy. A diverse range of therapies and interventions are covered under that heading, and most appear to be provided by specialist services on an in-patient or ambulatory basis. That is also the case for social reintegration interventions. However, higher levels of non-pharmacological treatments are reported in correctional facilities. That is understandable, given the high number of persons with drug problems in correctional facilities and the establishment in some countries of reintegration programmes designed to inhibit relapse. The involvement of social services is also higher than for the other treatment modalities considered. That is probably associated with the fact that social reintegration activities do not necessarily require the same level of medical input as the other treatment areas considered, and may therefore be more likely to be delivered through agencies involved in social care.

37. The biennial questionnaire also addresses the extent to which provision is made to reduce the negative health and social consequences of drug abuse (see table 6). Dominating the agenda in that area are concerns about drug-related blood-borne infections, notably the human immunodeficiency virus (HIV). However, programmes may also address other issues, such as overdose prevention, the provision of information and the promotion of primary health-care services. Some of those activities are relatively recent developments compared with other treatment efforts referred to. Nonetheless, considerable activity is reported. The provision of outreach programmes, which may have a range of goals, such as acting as a conduit to more formal treatment options, is widely reported by 43 per cent of responding States. Next in importance comes the dissemination of information about safety procedures, with 35 per cent of responding States reporting extensive activities and testing programmes for infectious diseases. Vaccination, presumably against infections such as hepatitis B, which may be transmitted by sharing injecting equipment, was also extensively offered by 29 per cent of the States. A third of the States reported extensive condom distribution schemes to reduce the incidence of sexually acquired infections among drug abusers. That is considered appropriate, given the sexual risk behaviour often associated with drug problems. A politically more controversial area is the provision of clean injecting equipment (needle and syringe exchange) to drug injectors, a practice developed in some countries as a response to the risk of HIV and other blood-borne infections. About a half of all responding States reported some degree of syringe exchange, with 20 per cent reporting extensive coverage. The wording on the questionnaire allows only for not-known responses. For purposes of clarity, non-responses and not-known responses have been combined in the tabulation provided. It appears that, for the most part, responses in the "not known/no response" category, rather than indicate that the respondent is simply unaware of the situation, indicate that the service in question is not available.

Table 6
Reducing the negative health and social consequences of drug abuse

	Extent of programme			*Programme execution*			
	Not known/ No response	*Isolated*	*Relatively extensive*	*Gender-sensitive*		*Results evaluated*	
Setting	*(%)*	*(%)*	*(%)*	*% of total sample*	*% of States reporting activities[a]*	*% of total sample*	*% of States reporting activities[a]*
Low-threshold interventions	37	36	27	20	32	24	38
Outreach	34	23	43	21	32	26	39
Emergency shelters	56	27	17	15	33	12	27
Overdose prevention programmes	72	17	11	7	23	8	29
Dissemination of information on safety procedures	45	20	35	13	23	13	23
Needle and syringe exchange programme	58	22	20	10	24	19	46
Provision of cleaning agents	71	18	11	8	28	7	25
Testing programme for infectious diseases	38	25	37	17	27	19	31
Vaccination	54	17	29	11	24	14	30
Condom distribution	36	30	34	19	30	15	23
Other	90	7	3	3	27	3	27

[a] Isolated or extensive.

38. In section D, the biennial questionnaire addresses the theme of the organization of demand reduction activities and whether there is a multisectoral committee to facilitate partnerships. The results here are remarkably positive. Most States (84 per cent of all those responding and 96 per cent of replies to the question) reported that they have multisectoral committees at the national level. Slightly lower numbers report the existence of local multisectoral committees (62 per cent of all respondents and 83 per cent of replies to the question). Committees at the regional level were slightly less likely to be reported, although that difference was marginal (59 per cent of all respondents and 80 per cent of replies to the question). Many States (59 per cent of all respondents and 76 per cent of replies to the question) also reported the establishment of an umbrella organization for non-governmental organizations. The networking organizations and collaborating mechanisms were

also largely reported to have provisions for identifying and including new partners (61 per cent of all respondents and 83 per cent of replies to the question).

39. It is well known that drug problems are often entwined with other social problems, and that they may therefore have a disproportionately serious impact on disadvantaged or marginalized groups within societies. As a result, one important area of demand reduction work consists in identifying those populations that are especially vulnerable to drug problems. That can lead to the better development and targeting of demand reduction programmes. In that context, it is important to ensure that interventions respect and are sensitive to cultural diversity, an issue specifically addressed in the Declaration on the Guiding Principles of Drug Demand Reduction. Guidelines can help ensure that good practice is observed in that area. Many States responding to the questionnaire reported the existence of guidelines for prevention activities (71 per cent), treatment services (74 per cent), and rehabilitation services (61 per cent). A supplementary question asks whether such guidelines take into account cultural diversity and specific needs relating to gender, age and socially, culturally and geographically marginalized groups in the population. Sixty-two per cent of States reported such to be the case. Developing guidelines sensitive to such issues is not a trivial task. It may be useful to compare how the issue has been addressed in practice and what lessons can be shared between countries in that respect.

40. The importance of initiating demand reduction activities targeting those particularly vulnerable appears to be commonly accepted, with 62 per cent of all States reporting special programmes in that area. Groups that are considered vulnerable to drug problems are likely to vary between societies, while some commonalities can also be expected. Where demand reduction programmes have been developed, the groups identified as vulnerable include sex workers, prisoners, the children of drug-using parents, indigenous populations, street children and the homeless, ethnic minority populations, young offenders, transportation workers, the economically marginalized, school excludees and workers in the entertainment industry. It is regarded as a point of good practice to take into account, when developing programmes, the views of those who are the target of the demand reduction work. Question 85 of the biennial questionnaire asks whether young people or members of risk groups had been involved in programme development or implementation. The involvement of young people was more commonly reported than that of members of risk groups (in 76 per cent and 58 per cent of all States, respectively).

41. One group commonly regarded as vulnerable to drug problems consists of prisoners within the justice system. Demand reduction programmes designed to target prisoners in the community once they had been released were reported by 47 per cent of all responding States, while those targeting prisoners before release were more common (in 53 per cent of all States). In addition, 44 per cent of all States had established programmes for drug offenders as an alternative to punishment and conviction.

42. Most States (81 per cent) reported that their national drug strategy included public information campaigns. The campaigns were generally based on assessments (79 per cent of replies), and they took into account the social and cultural characteristics of the population (89 per cent of replies), but they were less commonly evaluated (53 per cent of replies).

3. Building on experience

43. The final section of the biennial questionnaire, entitled "Building on experience", considers how States can ensure that the lessons learned about effective programme activity are transferred to ensure continuity and the further development of good practice. With regard to training within specialist drug services, over half of the States reported ongoing training to be available. However, that was far less commonly the case for non-specialist services. Most States reported some form of initial training to be available for both specialist and non-specialist programme staff.

44. Sixty-two per cent of the States reported that their strategies and activities were monitored and evaluated to enable them to improve their national strategy for drug demand reduction. Many States also reported being involved in international coordinating mechanisms for the exchange of information at the bilateral level (74 per cent), at the regional level (80 per cent) and at the multilateral level (74 per cent). More disappointingly, less than a half (45 per cent) of all States reported maintaining a national database with information on drug demand reduction. Where such a database existed, it was not usually linked with other multinational or global networks (35 per cent of those responding and 24 per cent of all States reported that such was the case). Given the range of experiences reported by States in the questionnaire, one area of obvious importance is how experiences and lessons learned can be shared between States.

45. In conclusion, an initial analysis of the biennial questionnaire suggests that the instrument has a useful role to play in monitoring global drug demand reduction efforts. The instrument does present technical difficulties, the most obvious being that non-responses and negative responses are not always easily distinguishable. It is also not clear whether all the technical terms are being uniformly interpreted. Nevertheless, the instrument performs satisfactorily on the whole, and should prove adequate to provide baseline data for future review. One clear message that emerges from even the initial analysis of the instrument is that States have a wide variety of experience in demand reduction activities, and that there is therefore much to be gained from the sharing of information on how progress can best be made.

B. Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development

46. At the beginning of the twentieth century, global production of opium was estimated at approximately 20,000 tons per year. Today, it has fallen to less than a third of that amount, with global licit production of opium at about 1,300 tons and illicit production about 4,700 tons in 2000. Within that global picture, there is an even more interesting example of successful and sustained crop elimination. The bulk of the 20,000 tons produced annually at the beginning of the twentieth century was produced in China. Licit opium production in China today is almost negligible, at about 20 tons, and illicit cultivation has been virtually non-existent for the last 50 years. The history of drug control has many such examples. Other cases of sustained eradication include Bolivia, Guatemala, the Islamic Republic of Iran, Lebanon, Pakistan, Peru, Thailand and Turkey.

47. Past experience demonstrates that elimination of illicit cultivation can be achieved and sustained. It remains, however, a major challenge, with the level of difficulty depending on the different circumstances in which the illicit crops are grown. Illicit cultivation of narcotic crops puts parts of the rural population into an extremely precarious and insecure situation. Because of their geographical remoteness or because of political instability or civil war, there is often a lack of effective government control in the illicit crop-producing areas. Since those marginal areas are frequently outside the control of the national Government, the people living there have little or no access to even the most basic services, such as education, sanitation and health care, which are normally provided by the Government. Accordingly, the economic reliance on narcotic crop cultivation can only be removed when viable and sustainable income-generating alternatives are legally available. In practice, alternative development is simply the implementation of a coordinated set of programmes with the intended objective of addressing the factors at the heart of the drug problem. Such programmes are intended not only to achieve a viable eradication of narcotic crops in the near term, but also to sustain the elimination of those crops and the violence and insecurity that always accompany their cultivation. The positive results from different countries highlight the importance of locally adapted alternative development interventions.

48. In paragraph 18 of the Political Declaration adopted by the General Assembly at its twentieth special session, Member States reaffirmed their commitment to the elimination of illicit narcotic crops reflected in the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development. The Action Plan was significant in many ways. First, Governments demonstrated an apparently genuine commitment and willingness to design time-bound strategies for the elimination or significant reduction of illicit crops. Secondly, Governments highlighted the importance of monitoring mechanisms, considered to be essential to assess the extent of and the trends in illicit cultivation. Finally, the Action Plan calls for specific action in the areas of economic development to support the elimination of illicit cultivation.

49. In its resolution 55/65 of 4 December 2000, the General Assembly called upon States in which cultivation and production of illicit drug crops occur to establish or reinforce, where appropriate, national mechanisms to monitor and verify illicit crops, and requested the Executive Director of UNDCP to report to the Commission at its forty-fourth session, in March 2001, on the follow-up to the Action Plan.

1. Global illicit crop monitoring programme

50. Estimates of illicit cultivation of narcotic crops and eradication levels have been derived from a patchwork of sources, with no comprehensive international mechanism available for the collection and analysis of data on illicit narcotic crops, and for monitoring and measuring the results of alternative development programmes. To address that issue, the Commission, in its resolution 42/3, entitled "Monitoring and verification of illicit cultivation", urged Governments producing coca bush, the cannabis plant and the opium poppy to design, formulate and implement effective national mechanisms for the monitoring and verification of illicit crops, including appropriate methodologies combining ground and aerial surveys, satellite monitoring and remote sensing. It requested UNDCP to establish a central data bank and information system on the basis of information furnished by

Governments on the cultivation of illicit crops. UNDCP was also requested to assist Governments in establishing national mechanisms for monitoring and verification of the cultivation of illicit crops used in the production of drugs and developing an international network for the monitoring of illicit cultivation for the purpose of implementing the Action Plan.

51. In response to the requests of the General Assembly and the Commission, UNDCP launched a global illicit crop monitoring programme consisting of: a global support project, based at UNDCP headquarters; and six national projects for the countries in which the bulk of illicit crop cultivation occurs, namely, Afghanistan, the Lao People's Democratic Republic and Myanmar, in Asia, and Bolivia, Colombia and Peru, in Latin America. The aim is to assist States in establishing monitoring systems by 2001 (except in Afghanistan, where UNDCP implements the survey itself and has not engaged in capacity-building) that would be able to produce internationally comparable data and benchmarks by which to measure progress towards the eradication goals for 2008. The programme will also allow quick detection of possible "balloon effects", that is, when the reduction of drug crops in one area triggers the start-up of cultivation in a previously less affected region. The programme was initiated in January 2000, with the technical cooperation of the European Space Agency (ESA).

52. The national projects support national authorities (except in Afghanistan) in developing the capability to monitor and evaluate illicit crop cultivation in their respective territories using geographic information technology such as satellite images, geographic information systems (GIS) and global positioning systems (GPS), together with ground and aerial surveys. Under a partnership arrangement with ESA, UNDCP carried out several assessment and programming missions in the six priority countries. The methodological developments were reviewed by a panel of internationally recognized experts in the field of remote sensing and monitoring.

53. In Peru, the first phase of the coca monitoring project is in full operation, with the aim of producing detailed maps of 11 coca-growing areas based on a combined interpretation of aerial photographs, satellite images and ground surveys. The aerial survey has been concluded for six coca-growing areas. In Colombia, the monitoring project started in September 1999. It is building on the Colombian pilot phase of a first satellite survey in Guaviare and parts of Vaupes and Vichada, and will be linked to a future land-use mapping project to be funded by the European Commission. Extensive use is being made of satellite imagery in a national survey to map the extent of illicit coca cultivation and support eradication efforts. In Bolivia and Myanmar, monitoring activities are at an initial stage, and will benefit from the implementation of specific methodologies for their illicit crops monitoring programmes. To support the impressive eradication programmes in Bolivia, technical advice was offered to develop a national system to identify and monitor illicit cultivation that is shifting to remote areas, particularly in the Chapare and Yungas region. Myanmar will benefit from an approach that takes into consideration the difficulty of accessing the growing areas and the complexity of the landscape. Preparatory work was initiated on the use of satellite imagery in the UNDCP alternative development project area, as a first step towards eventual national coverage. The assessment of illicit cultivation in Afghanistan and the Lao People's Democratic Republic, which have in place reliable ground surveys, will be improved, as far as possible, by the incorporation of satellite imagery, GIS and GPS.

The national systems are expected to contribute significantly to the establishment and reinforcement of an international network for the monitoring of illicit crops.

54. In almost all coca- and opium-producing areas, women are involved in the cultivation of the illicit crop as in that of other crops. Incorporation of the gender perspective in alternative development projects has increased the effectiveness and sustainability of the activities. From October 1998 to January 2000, UNDCP undertook an assessment of gender mainstreaming activities in alternative development. The results are reflected in the UNDCP guidelines on best practices for gender mainstreaming in alternative development, which incorporate existing knowledge and experience of the gender situation in geographic areas affected by illicit cultivation of narcotic crops. The guidelines will be used, in the first instance, for training purposes and for project development exercises.

2. Overview of alternative development initiatives by region

(a) Central, south and south-west Asia

55. In 2000, opium poppy cultivation in the Dir district of the North-West Frontier Province of Pakistan has been brought down from around 3,700 hectares in 1992 to near zero in 2000, following the successful eradication efforts by the Government of Pakistan and the shift by poppy-growing farmers to alternative development. The UNDCP alternative development project in the Dir district also contributed to that success. The second phase of the UNDCP Dir district development project, under way since 1994, achieved its objectives one full year ahead of schedule. The results are clearly visible in the shape of roads, electricity, irrigation channels, soil conservation works and afforestation, coupled with a diversified cropping pattern replacing opium poppy, the primary cash crop of the area. Of those developments, roads were especially important, as they have opened up the so-called hidden areas to licit trade with the outside world. To sustain the elimination of the opium poppy crop, planning has begun for a 5- to 10-year consolidation programme, involving bilateral and multilateral assistance.

56. In 1980, Afghanistan was a relatively small producer or source of opium, which was produced mostly for internal use and for a limited number of passing western tourists. Twenty years of prolonged war turned the country into a failed State with an alarming level of illicit opium poppy cultivation and production of opium and heroin. By the end of the 1990s, Afghanistan was not only one of the poorest countries in the world, but also by far the most important producer of illicit opium, accounting for 79 per cent of the supply of global illicit opium production in 1999 and about 70 per cent in 2000.

57. The deteriorating economic conditions, in particular the extremely low subsistence living standards and structurally weak agricultural sector with poor marketing, combined with the persisting political uncertainties, have contributed to making the cultivation of the opium poppy appear as the only crop that, under the current circumstances, can produce enough profits to meet the essential needs of many Afghan subsistence farmers.

58. Afghanistan remains a major challenge for the global community in curtailing opium production and the availability of heroin. The challenge can be met. The situation in Afghanistan shows a potential for successful alternative development work once conditions are conducive thereto. First, opium poppy cultivation is

concentrated in a small number of well-defined areas. In 2000 and 1999, as in previous years, 74 per cent of the opium poppy fields were found in just two provinces, Helmand and Nangarhar, and 93 per cent of the entire cultivation was in 6 of the 30 provinces of Afghanistan. Secondly, even in 1999, the year of the record harvest in Afghanistan, only 1.1 per cent of its arable land was given over to opium poppy cultivation. Thirdly, measured against the large global profits, the profit share derived from illicit opium poppy cultivation is incredibly small for Afghanistan. UNDCP has been continuously urging the Taliban authorities to bring the alarming illicit drug production in that country under control. In June 2000 the Taliban supreme leader issued a decree imposing a total ban on opium poppy cultivation for the next planting season. The UNDCP opium poppy survey in 2001 revealed that the effective implementation of the ban has resulted in a considerable decline of opium cultivation and production in the country.

59. Prices fluctuate very significantly, according to demand and supply. As a result of the record opium production in 1999, prices for opium collapsed in early 2000, with prices for 1 kilogram of opium reaching only 30 United States dollars ($), down from about $60 in 1999. The farm-gate price for the production of opium in 2000 was estimated at $91 million, compared with $251 million in 1999. The halving of the retail price of opium in 2000 has almost entirely offset the doubling in production of opium in 1999. Prices of opium increased in 2001 as a result of the ban imposed on the cultivation of the opium poppy during the planting season.

60. For the past three years, UNDCP has been working with local communities in four districts in Nangarhar and Qandahar provinces to develop a generic alternative development methodology for Afghanistan. The activities carried out under the pilot project aim at creating alternative sources of livelihood, increasing on- and off-farm income opportunities and improving social services and community amenities. Through participatory planning, the beneficiaries in the target districts are given the opportunity to identify and prioritize their needs with a view to their inclusion in the package of development assistance. The success of the project is reflected in the decrease in illicit cultivation in areas covered by the project, even when cultivation increased in all opium-growing areas as in 1999 and 2000. That is, however, a long-term strategy. To be implemented on a large scale, opium poppy reduction programmes would require a return to peace, stability and commitment of a functioning State authority.

(b) South-east Asia

61. In Thailand, the programme for the control of narcotic crops had been successfully implemented, with illicit opium poppy cultivation dropping to 702 hectares and opium production at the level of 8 tons in 1999.

62. In Myanmar, the inception phase of a five-year alternative development programme in the southern Wa region, costed at $15.6 million, started implementation in 1998. The programme is targeting a major opium-producing area of the Wa region near the border with China. The objective is to significantly reduce illicit cultivation of opium poppy through a sustainable community-based approach for the reduction and eventual elimination of the opium-based economy. The key components of the programme include community development, the provision of health and education services and income-generating activities, as well as monitoring of the amount of opium produced to ensure the achievement of the

desired results. In 1999, baseline ground and aerial surveys for opium poppy cultivation were completed. Poppy cultivation, land use and socio-economic data were made available. UNDCP also provided support to opium eradication programmes initiated by local communities in the northern Wa and Kokang regions, providing irrigation systems, high-yielding rice varieties and improved access to roads.

63. In May 1999, the Government of the Lao People's Democratic Republic launched a six-year programme to eliminate opium poppy cultivation by the year 2006. The alternative development programmes were initiated by the Lao National Commission for Drug Control and Supervision, with the support of UNDCP in targeting 15 priority districts in eight northern provinces. Several new initiatives began during 2000 and early 2001, including the Programme Facilitation Unit, which coordinates, monitors and supports the six-year programme, as well as new alternative development projects targeted at the highest-priority districts in Phongsali province. Alternative development in the Lao People's Democratic Republic has contributed to the improvement of the livelihood of villagers by reducing dependence on opium production and consumption. The area of opium poppy cultivation decreased by 29 per cent between 1998 and 2000. In every district where alternative development projects are being implemented, a significant decrease was noticeable. Cooperation with the Asian Development Bank (ADB) has been initiated with the integration of village-based drug control activities into an ADB rural development programme.

64. In Viet Nam, UNDCP supported the $4 million Ky Son alternative development pilot project in the province of Nghe An, bordering the Lao People's Democratic Republic and covering 179,000 hectares, with a population of 57,000. The project was successfully completed in 2000. The strict government enforcement of the ban on poppy cultivation has successfully reduced illicit poppy cultivation by more than 90 per cent in the project area, which, at the start of the project, produced more opium than any other district in the country. The number of traditional opium addicts was reduced from 2,800 in 1994 to less than 500 in 2000. The village-based initiatives and activities under the project have resulted in improved socio-economic conditions and the introduction of various alternative income-generating activities for villagers. However, an extension of the assistance is considered necessary to ensure the sustainability of the initial achievements. Accordingly, UNDCP assisted in the formulation of the second phase of the project to start in 2000, in line with the recommendations of the project evaluation.

(c) Andean region

65. Following the twentieth special session of the General Assembly, the Governments of Bolivia, Colombia and Peru formulated three individual business plans that combine the elimination of illicit drug crops with a full range of alternative development measures. Collectively, the three business plans consist of 18 projects, of which 12 are already under implementation, calling for investments essential to achieving alternative development goals: to generate agro-industries with proven markets, producing cash and food crops, wood-pulp timber and livestock; and, accompanied by the necessary infrastructure development and training, to modernize existing producers' associations. The projects pay special

attention to the importance of effective promotion of competitive business practices in production and marketing as well as to environmental protection.

66. UNDCP, together with other bilateral donors, has worked in partnership with the Government of Bolivia to build capital and social infrastructure to make alternative development a viable proposition. The Bolivian "Dignity Plan" provides for the total eradication of illegal coca crops by the year 2002. Of the four components that constitute the Dignity Plan—prevention and rehabilitation, coca eradication, interdiction and alternative development—alternative development is by far the most important, accounting for 73 per cent of total investment in the Dignity Plan. The Government has approved a National Drug Prevention and Rehabilitation Plan, as an integral part of the Bolivian strategy to reduce both demand and supply of illicit drugs, in particular cocaine. An important component of the Bolivian business plan is the agroforestry programme in the Chapare region. Working together with the private sector and farmers' associations, UNDCP is demonstrating that the environmentally sound use of forests is a reliable and long-term source of income and employment for local residents. Donors working bilaterally or through UNDCP have contributed to reducing the economic dependence of farmers on coca production and to raising their standards of living. In the area of control and interdiction, UNDCP is assisting with the training of Bolivian authorities to combat drug trafficking.

67. The ongoing agroforestry programme in Bolivia was enlarged from a $3 million budget in 1998 to a total budget of $9.4 million in 2000, including a $1.2 million cost-sharing contribution from the Government of Bolivia. Some of the new funding will also deal with illicit coca cultivation in the Yungas, a region where restricted coca cultivation for traditional purposes is permitted by Bolivian law, but which is increasingly being used also for illicit cultivation. Seven hundred and fifty families will receive technical support from the programme mainly to improve coffee production in the area, especially organic coffee for export. The agroforestry programme works directly with over 1,800 families in the Chapare, organized as shareholders in forest management units, and supports the processing and marketing of forestry products, including timber and cash crops such as palm heart, oranges, passion fruit, rubber and bananas. The forestry management programmes now cover 4,000 hectares in the Chapare. Wood products from environmentally sound forestry management systems are especially promising, yielding some former coca growers up to $4,720 per hectare per year, with a potential to grow to $6,000 per hectare per year in seven to eight years. For comparison, the average income from illicit coca cultivation was about $2,900 per hectare per year. Equally important, the programme assists local and national authorities with the rehabilitation of soils previously degraded by coca cultivation. In late 2000 a forestry technical centre was established at the province level to ensure the sustainability of project results after the end of the programme.

68. The second business plan project for Bolivia, worth $5 million, started in late 2000 and aims at training 8,500 young people in 350 training courses in different agricultural and non-agricultural professions, as well as supporting the integration of trained people into the labour market and promoting the creation of micro-enterprises. The third business plan project assists the Bolivian Government in establishing an integrated national planning, management and monitoring system for alternative development and better coordination of domestic and external resources.

69. Under the Peruvian business plan, UNDCP allocated $6.4 million during the year 2000 to alternative development projects, including support to the national drug control commission (CONTRADROGAS), and a national monitoring system of coca cultivation based on satellite images, aerial photography and ground surveys. Alternative development projects now cover four major coca-growing zones in the Lower Huallaga, the Pichis-Palcazu valleys (known as Selva Central), the Inambari-Tambopata valleys (known as Puno Selva) and the Apurimac valley. Technical assistance provided under the projects continued to focus on direct support to producer organizations, on technical packages for improving production schemes for traditional crops such as cacao and coffee, including a growing proportion of organically grown coffee, and on the exploration of niche products. Business-oriented management practices for agro-industrial enterprises, including palm-oil and palm-heart production, have shown a promising market potential. Furthermore, UNDCP supported improved cattle-breeding in the Selva Central project, which, in the remote Inambari-Tambopata region near the Bolivian border, is upgrading rural road infrastructure.

70. However, due to financial constraints, project activities in the Apurimac, the Inambari-Tambopata and the Selva Central were carried out on a smaller scale than originally planned. Although some funding gaps could be bridged thanks to donor funds received in 2000, the budget situation remains difficult in early 2001. In addition, the tense political situation as well as the social unrest emerging in the Huallaga in connection with eradication campaigns of the Government at times slowed down the implementation process.

71. Under the Colombian business plan, UNDCP delivered $2.3 million for alternative development activities in 2000. UNDCP continued to assist the Office of the National Alternative Development Plan (PLANTE) at the national, regional and municipal levels in the formulation and implementation of productive projects for regions earmarked for alternative development. Emphasis was placed on ensuring that the projects are integrated into the regional and municipal development plans. Despite prevailing violence, UNDCP continued to support agricultural extension services reaching 2,200 families in the departments of Bolivar, Caqueta, Cauca, Nariño, Meta and Putumayo. A second business plan project, "Alternative development for Meta-Caqueta" started in 1999. About 415 farm families received training and extension services in dual-purpose cattle-breeding and banana production, and about 100 families were provided with improved cattle. UNDCP also helped to prepare a $5 million project for improved cattle-breeding in the departments of Caqueta and Nariño, which will start activities in 2001.

72. UNDCP also continued its support to the establishment of a monitoring system for illicit crops that enable the identification and quantification of illicit coca and opium poppy cultivation as well as progress made in alternative development. The system will produce nationwide data on illicit crops at the end of 2001.

3. Action by Governments on the eradication of illicit drug crops and on alternative development as reported in the biennial questionnaire

73. Of the 109 Governments submitting the biennial questionnaires, a maximum of 42 (39 per cent) addressed the questions in the part related to the action plan on international cooperation on the eradication of illicit drug crops and alternative development.

74. Governments were asked whether they have a national plan or programmes, including alternative development, to reduce and eventually eliminate the cultivation of illicit drug crops.

75. Several Governments, which included 30 per cent of those replying to section VI of the questionnaire, indicated that they had adopted comprehensive national plans to reduce and eliminate the cultivation of illicit drug crops, including programmes for alternative development. For countries directly affected by illicit cultivation of the coca bush (Bolivia, Colombia and Peru) and the opium poppy (Colombia, the Lao People's Democratic Republic, Myanmar and Pakistan), comprehensive alternative development programmes have been developed or enhanced since the special session, with additional support provided by the international community and direct investment by Governments. That has contributed to the significant progress in the eradication of the coca bush in Bolivia and Peru and of the opium poppy in the Lao People's Democratic Republic and Pakistan.

76. Several other States indicated that while they had established a national programme to eradicate illicit crops, there was no accompanying alternative development programmes, particularly when eradication of cannabis was involved. That was principally due to the lack of funding and technical support from the international community.

77. Some States neighbouring drug-producing countries have begun developing an action plan for the eradication of illicit crops and for promoting alternative development in border areas where illicit cultivation of the opium poppy, the coca bush and cannabis have been detected.

78. In Colombia, alternative development programmes were undertaken within the framework of the peace process (involving implementation of the 1998-2002 development plan, "Change to build peace"), together with the Plan Colombia, designed to expand alternative development programmes to eliminate the coca bush and the opium poppy.

79. Specialized agencies have been established to initiate or coordinate the implementation of the national alternative development programmes. The specialized agencies operated with the support of ministries and agencies responsible for various economic and social sectors, in particular agriculture, health, education, social welfare, information, justice and law enforcement, rural and social development, regional development and the environment. The majority of the States replying to section VI of the questionnaire mentioned the competent ministries, agencies and private entities managing or involved in alternative development. In addition to government agencies, private businesses, the provincial and municipal authorities and non-governmental organizations were also involved in alternative development programmes.

80. Thirty-seven per cent of the Governments replying to the questionnaire reported that their national plans or programmes included eradication or other enforcement measures to ensure the reduction and eventual elimination of the cultivation of illicit drug crops.

81. In several countries, measures to identify and eradicate illicit crops, using aerial and land-based equipment and law enforcement programmes and economic

incentives targeting the rural population, were an integral part of the alternative development programme.

82. The eradication of illicit crops was a cornerstone of the strategy. The sowing cycles of opium poppy and cannabis, as well as of vegetable growth, are taken into account in developing eradication programmes. Aerial reconnaissance is used for the detection of illicit crops or sowing areas. In most cases, the destruction of illicit crops is done manually. Some States, such as Mexico and South Africa, reported that the destruction of illicit crops is done by aerial spraying of herbicides. Investigations of criminal activities related to illicit cultivation and production are undertaken to destroy the criminal organizations involved.

83. Some States indicated that their programmes mainly focused on the eradication of cannabis cultivation and did not include development programmes. While the United States had a national plan for the eradication of illicit crops, it does not promote alternative development as a method for reducing illicit cultivation, but rather emphasizes law enforcement activities aimed at seizing and destroying the crops. Several Governments reported on efforts to eradicate illicit cannabis cultivation. The Dangerous Drugs Board of the Philippines is conducting a study entitled "Bacteriological experiment on marijuana plants destruction".

84. Several States have developed programmes for the eradication of cannabis herb plantations. In Australia, helicopters of the National Parks and Wildlife Service are used to detect cannabis cultivation in national parks; forward-looking infrared radar is used to detect hydroponically cultivated crops and determine the location of such crops.

85. Twenty per cent of the Governments have adopted programmes of alternative development or measures aimed at forced eradication in areas of agricultural production of low profitability. In several countries, such as Mexico, programmes to eradicate illicit drug crops and rural development programmes were jointly implemented both in regions with a high incidence of illicit cultivation of narcotic crops and in those at risk of becoming zones of illicit production. It was noted that some of the regions with a high incidence of illicit crop cultivation were not suitable for agricultural production.

86. Alternative development requires long-term and sustained funding. Several Governments indicated that fund-raising mechanisms were institutionalized or planned regularly for alternative development and/or other ways of eradicating illicit narcotic crops. In Bolivia, Colombia and Pakistan, funding for alternative development was provided through bilateral and multilateral agreements as well as through the national budget and donations from public and private institutions. The national agency responsible for alternative development usually plays the key role in fund-raising. In other cases, funding for alternative development was exclusively from the national budget. The Government of the Philippines is reaching out to farmers, extending financial support and providing training on modern ways and techniques of farming, as part of its efforts to counter illicit cultivation of cannabis.

87. Governments were asked how they were financing programmes for the eradication of illicit narcotic crops and for alternative development. Several Governments provided information on the manner in which programmes for the eradication of illicit narcotic crops and for alternative development were financed. Some of them indicated that programmes for the eradication of illicit narcotic crops

and for alternative development were being financed exclusively from the national budget. Other Governments were complementing resources allocated from the national budget for the eradication of illicit crops by international assistance from bilateral or multilateral sources, including UNDCP. In some cases, resources were allocated to the police for eradication purposes.

88. New initiatives for financing programmes had been launched. In Colombia, alternative development programmes were being financed from the national budget, from loans contracted with the Inter-American Development Bank, and from contributions from agencies of international cooperation. In the Philippines, the Government extends low-interest loans to farmers through private banks and cooperatives as a means of providing an alternative source of income.

89. Alternative development requires a broad scope of technical expertise. Of the 42 Governments that replied to section VI of the questionnaire on alternative development, 32 indicated that they had the technical expertise to initiate alternative development programmes. Some States were providing funding and technical assistance to developing countries through their technical assistance programmes. Fourteen per cent of the Governments replied that they had received technical assistance for alternative development or for programmes to eradicate illicit drug crops; some of them indicated that a share of the financial resources received had come from bilateral and other sources.

90. Several developing countries indicated that they had not received any technical assistance for eradication of illicit crops or alternative development, either from bilateral or multilateral sources. Those Governments reported that efforts to eradicate illicit crops were being funded from resources available at the national level, and for the most part from the national budget allocated to law enforcement. Other Governments were funding efforts to eradicate illicit crops by devoting a significant share of the national budget to alternative development, complemented by resources from the general public or private institutions. An important source of technical and financial assistance was provided through contributions from bilateral or multilateral sources.

91. Governments were asked to report on the assistance provided to other States, on a bilateral, regional or multilateral basis, for alternative development programmes to eradicate illicit narcotic crops. Sixteen per cent of the Governments indicated that they were assisting other States on a bilateral, regional or multilateral basis. While not affected directly by illicit cultivation, some developed countries were providing technical assistance at the bilateral or multilateral level, particularly through UNDCP or other multilateral mechanisms such as the Inter-American Drug Abuse Control Commission (CICAD) of the Organization of American States (OAS), in the case of the United States, to support countries in their efforts to eradicate illicit crops through alternative development.

92. The Canadian International Development Agency supported poverty reduction programmes in areas affected by illicit cultivation or adjacent thereto, providing viable alternatives to illicit cultivation of narcotic crops and reducing the need for farmers to turn to illicit cultivation as a result of poverty. Spain provided 80 million pesetas for alternative development in 1999, including debt cancellation for alternative development in Peru. In 1999, the United States provided $63 million for programmes in Bolivia, Colombia, the Lao People's Democratic Republic, Pakistan,

Peru and Thailand, directly or through agencies, such as UNDCP and CICAD. The United Kingdom is supporting UNDCP projects for alternative development in Bolivia, Peru and Pakistan, investing 6.8 million pounds sterling. German bilateral assistance programmes have, since 1990, assisted Bolivia, Colombia, the Lao People's Democratic Republic and Peru, through bilateral technical cooperation projects and programmes implemented by the German Agency for Technical Cooperation, with a budget of 255 million deutsche mark (DM), or about $23 million, between 1981 and 1999. In addition, at the multilateral level, Germany has supported alternative development cooperation provided to Afghanistan, Bolivia, Colombia, Pakistan, Peru, Thailand and Viet Nam, implemented by UNDCP, amounting to DM 70 million, or approximately $35 million, between 1981 and 1999. Japan, through its bilateral cooperation programme, provided 800 million yen to Peru in 1998 for alternative crops.

93. The General Assembly has urged international financial institutions and regional development banks to conclude financial assistance agreements for alternative development. Eight Governments indicated that they have negotiated agreements for alternative development with financial institutions or regional development banks and five had received positive support. Other States were seeking to increase funding from national and international sources. Colombia was financing its alternative development programmes by loans from the Inter-American Development Bank. Private banks and cooperatives were extending low-interest loans to farmers. Most of the States replying to the question had not negotiated financial assistance agreements for alternative development with international financial institutions.

94. Institution-building at the local and regional levels and community activities are important pillars for the programmes of alternative development and eradication of illicit crops. Sixteen States reported that support was being provided to institution-building at the local and regional levels and that support to community activities was being extended through programmes of alternative development and eradication of illicit crops. Technical and financial assistance had been provided to support institution-building at the municipal level and to strengthen producers organizations in Bolivia. In several countries, alternative development plans were prepared with the participation of the local community, the municipal and departmental administrations and local and State authorities. They were directly involved in the design and conduct of specific projects on, for example, animal-breeding, timber-planting and seed crops, targeting villages where the opium poppy is grown. It was indicated that a major focus of technical assistance provided to developing countries in alternative development was to strengthen institution-building at local, national and regional levels. In Colombia, regional alternative development plans were prepared with the cooperation of the community, municipal and departmental administrations, decentralized institutions and PLANTE. One of the strategies of PLANTE was to strengthen State-community relations in zones of conflict, through a participatory approach. In other States, such as Nigeria, there is an ongoing community mobilization programme. The participatory approach permits the establishment and support of village committees, as was the case in Senegal.

95. Governments were to indicate whether consideration was given to a set of factors in alternative development. Nineteen per cent of the Governments replied to

the question. Participatory approaches in alternative development were taken into consideration by 17 per cent of the Governments, the gender dimension by 16 per cent, the poorest and most vulnerable population groups by 17 per cent, environmental concerns by 19 per cent, measures for reducing illicit drug demand by 19 per cent and traditional medical practices by 17 per cent.

96. Monitoring of illicit cultivation, including the displacement of illicit cultivation, is an essential part of a strategy to eliminate illicit crops. Forty-two Governments replied that mechanisms such as satellite, aerial and ground surveys were used in their countries for monitoring illicit cultivation, including the displacement of illicit cultivation, and that the information was shared with national, regional and international organizations. Eight of those Governments indicated that a combination of satellite imagery, aerial photographs and ground surveys were used. Aerial and ground surveys were used in eight countries for the identification of cannabis plantations, while another 12 States used ground-based surveys for monitoring illicit cultivation of cannabis and opium poppy.

97. Several States, such as Bolivia and Colombia, were exploring means to strengthen their illicit-crop-monitoring capacity, including the utilization of remote sensing and the compilation of geographical information, with the support of UNDCP and donors such as France and the European Union. It was indicated that the objective was to establish an information system within the framework of the United Nations, as requested in Commission resolution 42/3.

98. Seventeen Governments indicated that they have systems of monitoring and evaluation of the qualitative and quantitative impact of programmes of alternative development and eradication of illicit narcotic crops. Fifteen Governments indicated that indicators were used to measure the impact of the programmes. As an example, the following indicators were used to gauge the qualitative and quantitative impact of programmes for eradication in Bolivia: (a) value of the coca sub-economy (cocaine in relation to GDP); (b) area of illicit coca cultivation in relation to that of licit agricultural crop cultivation in the Chapare (the region with the highest surplus of illicit coca production); (c) net eradication of coca crops. In Colombia, PLANTE has developed a baseline for a representative sample of municipalities, which is examined each year to determine the progress in the programme and its impact. In Mexico, the indicators include the displacement of illicit crops to different sites, modification in the production cycles and dispersion and modification in the size of the plots. In other countries, such as Lebanon and the Philippines, the indicators include the price of illicit drugs, the quantity and value of drugs seized in the country and the quantity of the drug seized abroad and originating in the country. Evaluation constitutes a basic element for the planning and, as appropriate, reorienting of eradication efforts. Some States providing technical assistance for alternative development indicated that monitoring and evaluation was an integral part of technical and financial cooperation programmes. The indicators used for evaluation by some of those States included progress in living conditions, the environmental situation and institutional arrangements.

99. To gauge progress in eradicating illicit crops, Governments have to assess the impact of their enforcement and alternative development measures on a regular basis. Twenty-four Governments reported that they assessed the impact of their enforcement and alternative development measures annually or regularly. In several countries, crop eradication programmes were evaluated regularly throughout the

year and analysed at the end of each cannabis and opium production cycle. In some cases, the assessment was done on an ad hoc basis rather than following a regular time frame.

100. Law enforcement measures are essential to control illicit crop cultivation and to accompany alternative development programmes. Thirty-seven States reported that they were taking law enforcement measures to control illicit crop cultivation and to accompany alternative development programmes. In general, areas affected by illicit cultivation were under constant surveillance and subject to regular eradication operations. The reporting States also referred to the organizations involved. The law enforcement action taken included eradication by aerial spraying of cannabis fields with herbicides, manual eradication, surveillance of suspicious cultivated areas, the use of agents and informants for locating plantations, regular and annual nationwide campaigns of eradication of cannabis and opium poppy, penal actions including imprisonment for illicit cultivation when organized crime is involved, preventive education and public information campaigns. In Bolivia, the law enforcement measures included forced eradication of new plantations and destruction of coca seedbeds.

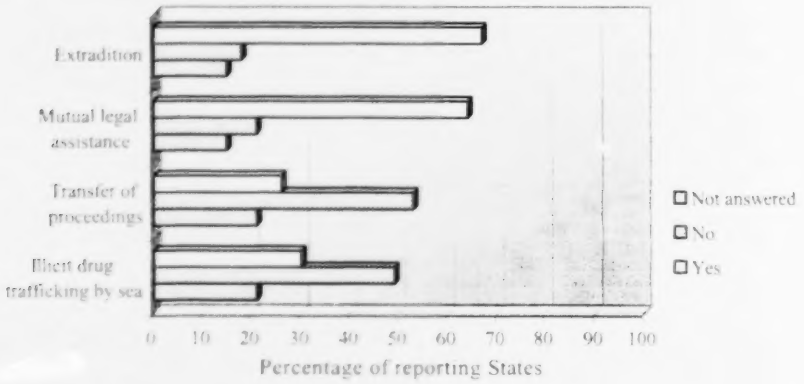
101. To support rural communities, Governments have initiated new programmes to improve the economic framework for alternative development. Eighteen Governments indicated that current or planned activities were designed to improve the economic framework for alternative development, for example, in the field of marketing.

C. Measures to promote judicial cooperation

102. In paragraph 16 of the Political Declaration adopted by the General Assembly at its twentieth special session, Member States undertook to promote multilateral, regional and subregional cooperation among judicial and law enforcement authorities to deal with criminal organizations involved in drug offences and related criminal activities. To that end, States are encouraged to review and, where appropriate, to strengthen by the year 2003 the implementation of measures to promote judicial cooperation adopted at the special session, which include extradition, mutual legal assistance, the transfer of proceedings and other forms of cooperation such as controlled delivery and maritime cooperation (see figure IV).

103. The international drug control treaties provide the framework for international cooperation. As of 1 September 2001, the treaties enjoyed almost universal adherence. Since the special session, 14 States have become parties to the 1988 Convention, bringing the number of parties to that Convention to 161 States plus the European Community; 12 States have become parties to the Single Convention on Narcotic Drugs of 1961[5] and that Convention as amended by the 1972 Protocol,[6] bringing the number of parties to 174 States; and 11 States have become parties to the Convention on Psychotropic Substances of 1971, bringing the number of parties to 168.

Figure IV
States that have agreements with other States in respect of judicial cooperation against illicit drug trafficking
(Percentage of total replies)



104. Efforts to promote judicial cooperation to fight illicit drug trafficking must remain a high priority. Bringing key traffickers to justice has demonstrated that the trafficking organizations were highly vulnerable to coordinated and sustained international pressure, and they have continued to suffer setbacks as Governments have pursued their leaders. For example, a joint law enforcement operation involving representatives of Colombia, Mexico and the United States resulted in the arrest of 30 major traffickers, disrupting an international drug-trafficking network extending to the United States and Europe.

105. A well-functioning legal system plays a fundamental role in all drug control efforts. However, the absence of adequate legal frameworks in many developing, transition and post-conflict States undermines both domestic and international drug control efforts. For example, an evaluation of the 14 member States of the South African Development Community (SADC) revealed that: licit control legislation was seriously outdated in one State (Lesotho); penalties for all serious drug-trafficking offences were inadequate; only three of those States could confiscate precursors involved in precursor offences; most of them have found it difficult to obtain a court ruling in favour of final confiscation of assets derived from drug trafficking; no SADC State provides for the transfer of proceedings; and no legislation has yet been adopted in SADC States to facilitate cooperation with other parties to the 1988 Convention in taking steps against vessels suspected of drug trafficking outside their territorial waters. In addition, most still lack a functional national drug control coordinating body and a national drug control action plan or national strategy.

1. Extradition

106. Extradition remained a key tool in judicial cooperation, and Governments were increasingly signing and implementing agreements on extradition, as called for by the 1988 Convention (see figure V). In some jurisdictions, national legislation had been amended to enable the extradition of nationals for serious drug-trafficking

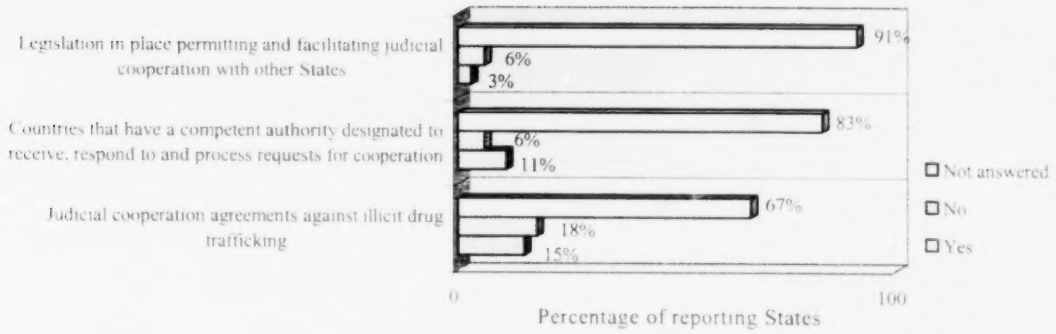
offences. The 1988 Convention and the measures adopted at the special session sought to break down two major obstacles that have long impeded effective extradition cooperation between States—the "prima-facie-case" rule of many States with a common-law tradition and the non-extradition of nationals of many States with a civil-law tradition. Stringent application of those rules often means that extradition is refused, with the result that justice is not done at all, or not done effectively. Several States with a common-law system are modifying their rules of evidence to facilitate extradition, for example, by enabling courts to receive and act on evidence contained in certified case files of judicial officers (investigating magistrates, judicial prosecutors and trial judges) in States with a civil-law system. The latter States are tending to change their laws to permit temporary conditional extradition. However, too many States with a common-law tradition still stringently apply the traditional prima-facie-case rule, and the mainly civil-law States admit that their laws still preclude or seriously limit the extradition of nationals. Forty-eight per cent of the Governments replying to the biennial questionnaire indicated that the laws in their countries precluded or seriously limited the extradition of nationals. There have been some positive developments. Most of the Governments (91 per cent) reported that they have adopted legislation contemplating extradition procedures in their countries. Several Governments replying to the questionnaire (32 per cent) have simplified the procedures for extradition. For example, in Argentina, Colombia, the Czech Republic, Hungary and Slovakia, procedures have been simplified for extradition, consistent with the constitutional principles and the basic concepts of their legal systems. A new comprehensive extradition law was adopted in Canada in 1999; and, in Venezuela, the new Code of Criminal Procedures, which sets out the extradition procedure, was adopted.

107. The 1988 Convention and the measures adopted at the special session encourage States to enter into agreements or arrangements to enhance judicial cooperation. In the field of extradition, 67 per cent of the States replying to the questionnaire indicated that they had entered into agreements with other States, including regional extradition treaties, such as the European Convention on Extradition, or bilateral extradition treaties or agreements applicable to a broad range of offences, including drug offences.

108. In addition, new legislation on extradition was currently under consideration in Ethiopia, Luxembourg, the Netherlands and the Philippines. Many European States had amended or were in the process of amending their domestic legislation to comply with the provisions of the European Convention on Extradition. In some cases, where there was no national legislation on extradition, extradition could be granted on the basis of international agreements on extradition.

109. Governments were requested to establish a competent authority or authorities designated to receive, respond to and process requests for extradition. Such designation would greatly enhance the field of extradition and expedite requests. A competent authority or authorities had been established in most of the States replying (83 per cent). The competent authorities indicated included ministries of foreign affairs, the office of Attorney-General, ministries of justice and the branch of the national police responsible for cooperation with the International Criminal Police Organization (Interpol).

Figure V
Extradition
(Percentage of total replies)



2. Mutual legal assistance

110. The recommendations adopted at the special session and the 1988 Convention seek to establish and strengthen mutual legal assistance to address serious crimes more effectively (see figure VI). Several Governments (27 per cent) replying to the questionnaire indicated that they had reviewed procedures for mutual legal assistance. A large number of States have now adopted laws on mutual legal assistance, in line with the 1988 Convention and the recommendations adopted at the special session, in order to make a global impact against drug trafficking and serious offences. Most of the Governments (81 per cent) have adopted national legislation permitting and facilitating cooperation in the field of mutual legal assistance. According to the replies to the questionnaire, several Governments did not have national legislation to facilitate mutual legal assistance.

111. Regional organizations have often spearheaded initiatives to strengthen mutual legal assistance. Subregional mechanisms such as the Police and Customs Cooperation in the Nordic countries and the European Judicial Network within the European Union have enhanced cooperation in mutual legal assistance. There has also been intense bilateral treaty-making. A considerable number of States replying to the questionnaire (64 per cent) indicated that they had concluded bilateral agreements in the area of mutual legal assistance.

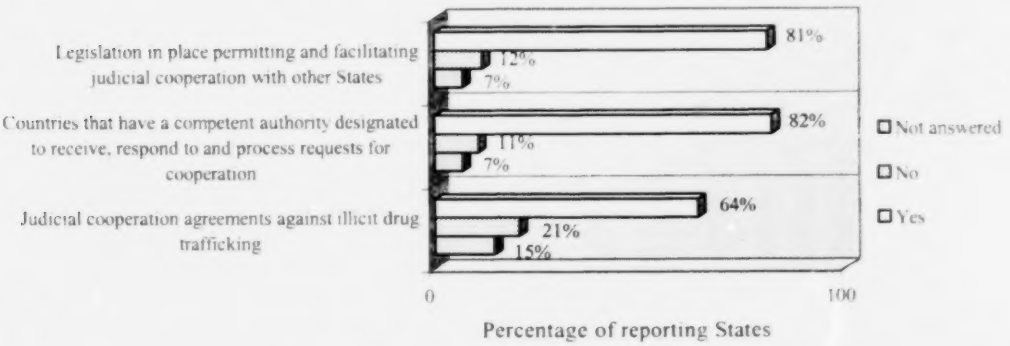
112. Effective cooperation in mutual legal assistance requires rapid responses by requesting States. In practice, that means fast and effective teamwork, communication, coordination and problem-solving in both requesting and requested States. However, difficulties were still encountered by several Governments. Some States often had insufficient trained personnel, infrastructure and equipment, either to make requests or to respond promptly and effectively to requests. However, several Governments have taken measures to respond promptly to requests for mutual legal assistance. Most of the Governments (82 per cent) replying to the questionnaire indicated that they had designated a central authority or authorities with the power to make and execute, or to transmit for execution, requests for mutual legal assistance. The designated central authority or authorities included the

Ministry of Justice, the Secretariat of the Supreme Court of Justice, the Office of the Public Prosecutor or the Federal Police. However, of the 161 States parties to the 1988 Convention, only 127 States and dependent territories have notified particulars of their central authorities to the Secretary-General as called for by the Convention.

113. A noticeable effort has been undertaken by Governments in the sharing of information between competent national authorities, an essential prerequisite to countering drug trafficking. Many Governments (82 per cent) have taken measures to exchange information on procedures, domestic legislation and practices, and established or expanded exchange programmes for law enforcement personnel. That has been supplemented by training and other forms of cooperation. Bilateral cooperation agreements, channels and procedures have been established for the exchange of information relevant to the investigation of criminal organizations and for the processing of requests for mutual legal assistance and extradition. The model treaties developed by the United Nations have provided guidelines for such agreements. Several Governments (58 per cent) indicated that they had based their agreements on those model treaties. Some indicated that extradition and mutual legal assistance treaties negotiated prior to the preparation of the model treaties were consistent with their provisions. Those provisions had also been used in more recent treaty negotiations.

114. Several Governments (69 per cent) indicated that they used modern communications technology and secure procedures to facilitate the exchange of information with the competent authorities of other States. For example, in Australia, regular use of modern communications technology was made, including video links, to obtain witness statements and testimony in foreign proceedings. To facilitate cooperation, several Governments have developed model forms, guides or manuals on how to assist other States in preparing appropriate requests for judicial cooperation. In Colombia, a manual has been issued on the exchange of evidence with foreign Governments, to be consulted in formulating requests for judicial assistance from abroad. Likewise, the European Judicial Network is preparing requests for judicial cooperation and guidelines for the relevant authorities.

Figure VI
Mutual legal assistance
(Percentage of total replies)

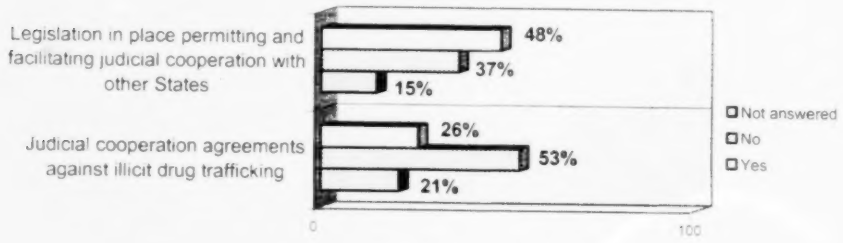


3. Transfer of proceedings

115. The 1988 Convention and the recommendations of the special session encourage States to transfer between them criminal prosecution proceedings where such transfer may be in the interest of the proper administration of justice, in particular if their legal systems are similar and they do not extradite their own nationals (see figure VII). Almost half of the Governments (48 per cent) replying to the questionnaire indicated that they were able to transfer proceedings for criminal prosecution.

116. Since the special session, there have been new developments in domestic legislation related to the transfer of proceedings in some countries. A smaller number of States (26 per cent) have concluded agreements with other States for the transfer of proceedings in criminal matters. Bilateral agreements or arrangements on mutual legal assistance facilitated court action and the transfer of files, dossiers and evidence. Such cooperation has been widely and satisfactorily used by a number of States, in particular those in close proximity to each other and having good ongoing relations at the political and operational levels.

Figure VII
Transfer of proceedings
(Percentage of total replies)

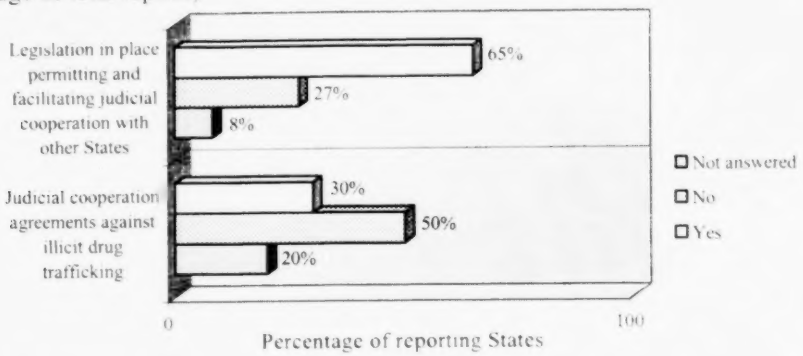


4. Trafficking by sea

117. Drug trafficking by sea, especially through bulk shipments of illicit substances, remains a major challenge to the law enforcement community (see figure VIII). To counter the threat, several Governments (65 per cent) indicated that their national legislation permitted and facilitated cooperation against illicit drug trafficking by sea. Thirty per cent of the States replying indicated that they had entered into agreements concerning illicit trafficking by sea. New measures have been adopted by some States (15 per cent of the replies) to counter such trafficking. States in the Caribbean reported that they had recently strengthened their maritime cooperation by sharing operational intelligence and strategic information, thus facilitating the conduct of operations and the seizure of substantial quantities of drugs. Several Governments noted that they were exploring ways of giving greater effect to the provisions of article 17 of the 1988 Convention. Many States still lack the legislation necessary to enable them to give consent to another State to board,

search and seize, if evidence of drug trafficking involving vessels flying its flag is found, and to establish criminal jurisdiction over such vessels in case of serious offences.

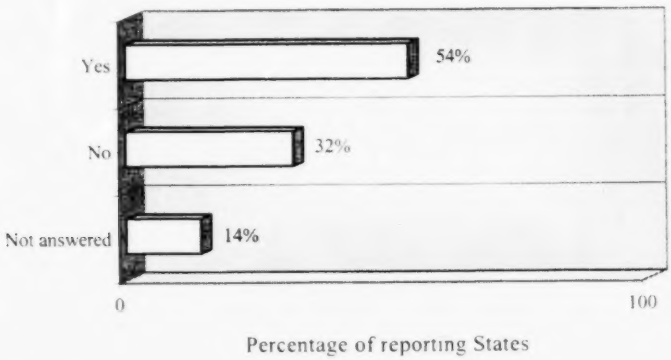
Figure VIII
Countering illicit trafficking by sea
(Percentage of total replies)



5. Controlled delivery

118. The technique of controlled delivery remains a major asset for drug law enforcement authorities (see figure IX). More than half of the Governments replying to the questionnaire (54 per cent) indicated that their national legislation allowed the use of the technique of controlled delivery. Several States have reviewed, simplified and strengthened procedures in connection with controlled delivery. New developments in national legislation regarding the use of controlled deliveries was reported by some Governments (16 per cent). New legislation was adopted in Australia, Argentina, Bolivia, Costa Rica, Pakistan, Spain and the former Yugoslav Republic of Macedonia, or was under preparation in Bangladesh, France, India and Sri Lanka.

Figure IX
Legislation in place permitting and facilitating judicial cooperation with other countries in connection with controlled delivery
(Percentage of total replies)



6. Protection of judges, witnesses and expert witnesses

119. The protection of witnesses has been addressed by several Governments. Thirty-five per cent of the States replying to the questionnaire have amended their national legislation or adopted new provisions to facilitate the protection of witnesses involved in criminal proceedings. Equally, several Governments (24 per cent) have reviewed their national legislation to further enhance the implementation of the 1988 Convention and ensure the protection of judges, prosecutors and law enforcement agencies in cases that involved illicit drug trafficking and other serious crimes. For example, in Colombia, new legislation has revised the protection programme for witnesses, victims and persons involved in penal proceedings and their family members. In Mexico, the Federal Organized Crime Law provided for the protection of persons, in particular judges , expert witnesses, victims and other persons involved in criminal proceedings. In Trinidad and Tobago, the National Justice Protection Programme provided for the protection of all persons involved in criminal proceedings, including judges, law enforcement personnel and witnesses. In Turkey, the Law on Prevention of Profit-oriented Criminal Organizations included provisions on the protection of surveillance personnel and law enforcement officers. In Ukraine, new legislation provided for the protection of judicial and law enforcement personnel, their relatives and persons participating in criminal proceedings. And in the United States, security measures were designed to protect all federal employees, including judges, prosecutors and law enforcement officers, with severe punishment imposed for the killing of a federal officer.

120. Several Governments (78 per cent of the total replies) have a designated national authority concerned with criminal investigation techniques and strategies. Several States, such as Colombia, Haiti, the Lao People's Democratic Republic, Myanmar, Panama, Sao Tome and Principe and Switzerland, indicated that they had not designated an authority responsible for criminal investigation techniques and strategies. Some States reported changes with regard to the central authority responsible for such techniques and strategies. In Spain, statutory power was conferred on undercover agents for investigations involving organized crime and the scope of controlled deliveries has been extended.

121. Most of the Governments (85 per cent) replying to the questionnaire have established specialized units for investigating drug-trafficking cases. Eighty-three per cent have enhanced technical cooperation, training and human resources development programmes for law enforcement personnel. That has included training in drug control and interdiction of trafficking of arms and chemical precursors by sea.

122. Most Governments (79 per cent) have enhanced cooperation at the operational level by adopting measures to strengthen cooperation with law enforcement agencies and judicial authorities of other States. Those programmes included mechanisms for the exchange of tactical, operational and strategic information on the interception of illicit drug consignments and the investigation of criminal organizations.

D. Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and Their Precursors

123. In paragraph 13 of the Political Declaration adopted by the General Assembly at its twentieth special session, Member States decided to devote particular attention to the emerging trends in the illicit manufacture, trafficking and consumption of synthetic drugs, and called for the establishment or strengthening by the year 2003 of national legislation and programmes giving effect to the Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and Their Precursors. The Action Plan recommends action in five key areas: raising awareness of the problem of ATS; reducing demand for illicit ATS; providing accurate information; limiting supply; and strengthening the control system for ATS and their precursors. ATS most frequently abused and sold illicitly include amphetamine, methamphetamine, MDA, MDE, MDMA, commonly known as Ecstasy, and methcathinone, which are mainly manufactured in clandestine laboratories.

124. The nature of the ATS problem sets specific challenges at the national, regional and global levels. Some of the characteristics of ATS, such as the simple and flexible manufacturing techniques, readily available raw materials, high profit margins for traffickers and low prices for consumers, are incentives that have led to an expansion of illicit markets. ATS have a benign image, perceived as safe and harmless, in spite of increasing evidence of long-term toxicity. Recent studies on Ecstasy have found severe psychiatric and neurocognitive consequences resulting from long-term use. At the same time, ATS can seriously affect the psychological and mental state of the user. They cause dependence and carry an addiction risk that is as high as that of cocaine. They also lead to increasing tolerance levels, requiring ever-higher doses to achieve the same mood-elevating effects.

1. Implementing the global framework

125. The international drug control treaties, complemented by the resolutions and decisions of the Economic and Social Council, the Commission and the International Narcotics Control Board, provide the framework for international cooperation to address the illicit manufacture, trafficking and abuse of ATS. Most Governments (82 per cent) replying to the questionnaire reported that they had implemented the provisions of the international drug control treaties and the relevant resolutions and decisions or recommendations of the Council, the Commission and the Board relating to synthetic drugs and ATS. The measures applicable to ATS were included in national laws and regulations, and several Governments provided specific information on their efforts to address the various aspects of the problem of ATS. In some countries, however, the international drug control treaties had been only partially implemented, and national legislation was being amended or new regulations were being adopted to implement the treaty provisions relating to ATS.

2. Raising awareness of the problem of amphetamine-type stimulants

126. Most Governments (54 per cent) reported that they had adopted measures to raise awareness of the problem of ATS. Several Governments have launched national prevention campaigns and comprehensive strategies to reduce the demand

for and abuse of illicit drugs, including ATS. Mass media campaigns, interactive media, the Internet, telephone hotlines, sports events, counselling centres, seminars and workshops and written materials, such as leaflets, brochures, school curricula and syllabuses have been used in the majority of the reporting States as vehicles to inform health-care professionals, teachers and other target groups about the dangers of ATS. In some countries, increased efforts were being made to inform youth, parents and mentors of the harmful effects of ATS.

127. Since the special session, there has been a marked improvement in sharing knowledge about ATS, including the negative effects of ATS abuse, among the groups at risk in many countries. Well-targeted activities in countries strongly affected by ATS during the 1990s, in particular France, Germany, Italy, Japan, the Netherlands, Sweden, the United Kingdom and the United States, have led to a stabilization or even a decline in ATS markets in North America, western Europe and Japan. Those activities have included, in addition to raising awareness at local and national levels, demand reduction measures, in particular prevention, an increased focus by law enforcement agencies on ATS trafficking and improvement in the legislative arsenal and precursor control. However, in east and south-east Asia, trafficking and abuse of ATS have continued to grow.

3. Reducing demand for illicit amphetamine-type stimulants

128. Reducing demand for illicit ATS remains a key component of the global strategy adopted at the special session. More than half (57 per cent) of the Governments replying to the questionnaire reported that measures had been taken to reduce the illicit demand for ATS. National demand reduction campaigns and programmes directed against illicit drugs focused on ATS abuse. The measures taken included education, prevention, treatment, monitoring, evaluation and research projects to prevent drug abuse and addiction. In several countries in Europe and south-east Asia, controls at entertainment sites and discotheques have been strengthened. In Ireland, for example, health-service personnel and the police have informed the staff of nightclubs of the dangers of ATS. In Italy, an agreement on special measures to be taken in discotheques has been signed between the Government and the national association of discotheque owners.

129. To adopt appropriate strategies to better target the illicit demand for ATS, it is essential that Governments establish a reliable set of data on ATS abuse patterns. However, less than half (48 per cent) of the Governments replying to the questionnaire reported on measures adopted to monitor the illicit demand for and abuse of ATS. Epidemiological surveys, national health surveys and household and school surveys have been conducted by several Governments. Almost half of the replies (42 per cent) indicated that the information collected was used, in the majority of cases, as benchmark data for monitoring and evaluating the national drug control strategies. Information systems and national databases have been set up in several countries to evaluate and monitor the demand for and abuse of ATS. A number of Governments reported on novel initiatives to counter the illicit manufacture, abuse and trafficking of ATS. The States members of the European Union reported that they were implementing the Joint Action of 16 June 1997 adopted by the Council of Ministers on the basis of article K.3 of the Treaty on European Union, concerning the information exchange, risk assessment and the control of new synthetic drugs. To further cooperation against the ATS threat, an

early warning system for new synthetic drugs has been established by the States members of the European Union. Both initiatives are being coordinated by EMCDDA. In Denmark, a special project has been developed concerning the trade in illicit drugs, designed to monitor, inter alia, purity levels and price, to identify and follow up new types of drugs, and to establish a model for systematic registration and analysis of drugs on the illicit market. In France, the National System of Identification of Poisons and Substances (SINTES) project has been initiated.

130. Prevention programmes targeting youth play a critical role in countering ATS abuse. Progress should be made by more Governments in establishing such programmes targeting young people. Since ATS abuse was increasingly concentrated among youth and threatening to become a part of the mainstream culture, special emphasis has to be placed on addressing the specific needs of young people. Only 39 per cent of the Governments replying to the questionnaire indicated that they had adopted specific programmes to prevent youth from experimenting with ATS. Several of those Governments reported that school-based prevention programmes to inform youth of the harmful effects of illicit drugs, including ATS, had been carried out widely. The mass media, television commercials and printed materials were used to inform young people of the adverse effects of drug abuse. Seminars, sports events and cultural activities were also generally used to deter teenagers from experimenting with ATS. Some examples of measures taken include: a pilot project involving an early warning system for monitoring new abuse trends among young people, launched in Germany; and, in the United States, a National Youth Anti-Drug Media Campaign conducted in 1999, reaching more than 90 per cent of youth through advertising in 11 languages, including information on the dangers arising from the abuse of methamphetamine and Ecstasy. Given the importance of prevention among youth, several Governments with successful programmes targeting specific age-groups have shared their positive experience, encouraging others to replicate that experience at the national level.

4. Providing accurate information on amphetamine-type stimulants

131. Governments have the prime responsibility to provide accurate information on ATS. International cooperation is essential to address the problems arising from the unscrupulous use of Internet web sites to facilitate the illicit sale of controlled substances and their precursors. Governments are urged to guard against such exploitation by operators in the illicit drug market. To date, only a limited number of Governments (14 per cent) replying to the questionnaires have so far taken measures to counter the use of the Internet as a vehicle to promote the recreational use of illicit drugs and to prevent information related to illicit drugs from being disseminated on the Internet. Law enforcement authorities in several States that have taken such measures constantly monitor the Internet for web sites that incite people to commit drug offences, including the promotion of abuse of controlled drugs, their illicit manufacture and trafficking. Some Governments have established regulatory frameworks for the control of illegal or highly offensive material published or transmitted through on-line services such as the Internet. Regulatory schemes or advisory boards for Internet service providers have also been set up in some countries in Europe. Some Governments were concerned about the use of the Internet for the promotion and sale of psychotropic substances and their precursors. In the United States, medical practitioners using the Internet for the indiscriminate

sale of controlled substances have been investigated and convicted, and web sites that offered or promoted the illicit sale of pharmaceuticals containing controlled substances and precursor chemicals were the subject of investigations that covered information obtained on both domestic and foreign sources of controlled substances. In addition, the National Association of Boards of Pharmacy has established a voluntary regulatory programme, known as the Verified Internet Pharmacy Practice Sites, to reassure customers that the web site from which they purchase pharmaceutical products has met all the appropriate state and federal standards.

132. Modern information technology should be used to disseminate information on the adverse health, social and economic consequences of ATS abuse. That includes, for example, using the Internet as an instrument to reach young people. Thirty per cent of Governments replying to the questionnaire reported on the creation of national web sites to inform and update the public on the adverse health, social and economic consequences of drug abuse, including ATS. While there has been significant progress, more Governments should develop strategies for using all the means provided by modern information technology to disseminate information on the adverse consequences of ATS abuse.

133. In line with the balanced approach, all initiatives to curb illicit demand for ATS should be accompanied by efforts to limit the supply of ATS. Comparatively more attention has been given to curbing the illicit supply of ATS than to measures to counter illicit demand.

5. Limiting the supply of amphetamine-type stimulants

134. Fifty-seven per cent of the Governments replying to the questionnaire reported taking measures to limit the supply of illicit ATS, including strengthening the control of precursors and laboratory equipment. National legislation and regulations for precursor control have been adopted in all reporting countries. Several Governments indicated that they had adopted measures to control precursors used for the illicit manufacture of ATS similar to measures applicable to precursors of other illicit drugs. They generally included controls on the manufacture, preparation, sale, purchase, import, export, transport, storage and distribution of chemical precursors used for the manufacture of ATS. Over 18 per cent of the States replying to the questionnaire indicated that measures had also been taken to monitor the availability of tableting machines and technical equipment required for the manufacture of ATS, and that strict controls had been placed on pharmaceutical laboratories manufacturing and distributing amphetamines to prevent the diversion of those pharmaceutical products into the illicit market.

135. The biennial questionnaire listed the following measures that Governments were invited to take to limit the supply of ATS: (a) enhancing cooperation with the chemical industry; (b) introducing mechanisms to deal with non-scheduled substances; (c) establishing monitoring systems to identify the clandestine manufacture and prevent the diversion of ATS; (d) carrying out drug signature analysis and profiling; and (e) preventing the diversion, irresponsible marketing and prescribing of ATS (question 63).

136. Cooperation with the chemical industry is an essential precondition to initiatives to limit the supply of precursors, playing a crucial role in preventing the diversion of ATS from licit sources. Strengthening such cooperation was being

given increased attention by several Governments. Forty-two per cent of reporting Governments had established practices to enhance cooperation with the chemical industry and to reduce the supply of ATS. A third of the replies indicated that commercial and industrial entities dealing with psychotropic substances maintained regular communication, and had established voluntary cooperation activities, with the competent authorities. In some cases, the competent authorities have actively promoted collaboration with the chemical industry by organizing training, workshops or seminars to inform personnel from the chemical industry of measures to prevent the diversion of precursors into the illicit market. In some countries, codes of conduct have been established between the chemical industry, government and law enforcement agencies to promote mutual cooperation. In other countries, the chemical industry has been associated with the preparation of new regulations, or special law enforcement officials have been designated their contact persons.

137. With regard to non-scheduled substances, several States (36 per cent) have introduced mechanisms to deal with such substances. Most of them have put in place flexible administrative procedures for the inclusion of substances in the lists or tables of psychotropic substances subject to international control. Some States, such as Myanmar, New Zealand and Slovakia, were in the process of introducing new legislation to expedite or establish controls on non-scheduled substances. A special monitoring list and early warning system for new synthetic drugs has been established by the States members of the European Union. In Japan, a conference of experts has been convened annually to evaluate the potential dangers of non-scheduled substances. Within the Police and Customs Cooperation framework in the Nordic countries, a number of substances have been listed for the exchange of information on a voluntary basis.

138. The illicit ATS market is supplied through the global spread and diversification of clandestine manufacture as well as diversion from the licit market. Forty per cent of Governments replying to the questionnaire have taken measures to establish monitoring systems to identify the illicit manufacture of ATS and prevent their diversion. Thirty-four per cent of the Governments have adopted law enforcement measures to detect and dismantle clandestine laboratories and to prevent chemical precursors from being smuggled or diverted for use in illicit manufacture. Information systems and databases for the monitoring of illicit trafficking of synthetic drugs and clandestine laboratories have also been set up in many countries. Some European countries were involved in several initiatives to identify illegal amphetamine manufacturing sites and the sources of diversion of ATS. Those initiatives may also have contributed to the stabilization or decline in ATS markets in North America, western Europe and Japan.

139. As part of the process leading to the twentieth special session of the General Assembly, a consultative meeting was held in Tokyo in March 1998 to review methods for the characterization and profiling of methamphetamine and other ATS. Thirty-one per cent of the reporting Governments regularly carry out signature analysis and profiling of amphetamine seizures, mostly in national forensic laboratories. Exchange of information and international cooperation on drug profiling was reported by European countries for "Ecstasy" tablets. UNDCP has supported and initiated projects to develop and promote techniques for identifying the origins of seized ATS through impurity analysis. Most recently, it has worked with law enforcement and laboratory personnel in south-east Asia to facilitate the

development of an operational drug-profiling programme in the subregion. New manufacturing and trafficking trends have been identified through such projects.

140. A large number of Governments (47 per cent of those replying to the questionnaire) have taken measures to prevent the diversion, irresponsible marketing and prescribing of ATS, and several Governments have adopted regulations to control the manufacture and distribution of ATS. A medical prescription for the dispension of ATS was a requirement in the majority of the reporting countries. In that context, in the United States, the on-line sale of controlled substances and web sites that offer and promote the illicit sale of pharmaceuticals containing controlled substances and precursor chemicals were being monitored.

6. Strengthening the control system for amphetamine-type stimulants and their precursors

141. The General Assembly called on Governments to strengthen the control system for ATS and their precursors by adopting measures to be implemented at the national and international level (question 64). As indicated in the biennial questionnaire, those measures include: (a) rapidly identifying and assessing new ATS found on the illicit market; (b) speeding up the scheduling process; (c) introducing appropriate sanctions and penalties for ATS-related offences while strengthening law enforcement efforts; (d) improving data collection; (e) improving regional cooperation; (f) introducing the "know-your-client" principle; and (g) assisting other countries in dealing with the problem of ATS.

142. The first set of measures related to the adoption of measures to rapidly identify and assess new ATS found on the illicit markets has been implemented by 40 per cent of the Governments replying to the questionnaire. Early identification and assessment of seized ATS are usually carried out in national forensic laboratories. An international network for cooperation such as the early warning system for new synthetic drugs and the European Information Network on Drugs and Drug Addiction have been established among the 15 States members of the European Union. As a result of that initiative, new ATS have been recommended for control in the European Union. Some Governments also reported on their cooperation and exchange of information with international organizations, in particular with the Board and with other competent authorities as an ongoing important mechanism to detect and identify new forms of ATS and their precursors.

143. Several States have increased their penal sanctions for the illicit manufacture and trafficking of ATS. Less than half (41 per cent) of the Governments replying to the questionnaire indicated that they had introduced a special regime of sanctions and penalties for ATS-related offences. In several countries, national legislation has been amended and sanctions and penalties involving ATS-related offences have been introduced. In a number of countries, amending the national legislation to cover ATS was not considered necessary, since ATS were already covered by the regime of control applicable to psychotropic substances. In some States, such as Australia, Cuba and the United States, stiff penalties were meted out for ATS-related crimes, including trafficking in other chemicals or equipment used to manufacture ATS. In some cases, the recommendations of the Action Plan were already incorporated into national legislation enacted to target methamphetamine and other ATS, as in the United States. Several Governments reported having intensified law

enforcement efforts against trafficking in ATS, including strengthening the capacity of the judiciary for prosecuting offenders, as in the Netherlands. Increased efforts by law enforcement agencies in east and south-east Asia have resulted in a strong increase in seizures of ATS, notably in China, where ATS seizures rose tenfold to 16 tons in 1999. In addition, Japan, Myanmar, the Philippines and Thailand stepped up enforcement efforts, which also resulted in substantial increase in ATS seizures.

144. There was a need to improve the information available on ATS, particularly with regard to the collection of information on clandestine laboratories, manufacturing methods, the precursors used, purity levels, prices, sources and epidemiology. Less than one third of the Governments replying (31 per cent) have improved, or are in the process of improving, systems for data collection and exchange of information. National databases have been established in the majority of the reporting States. In many of the reporting States, information was exchanged, on a regular basis, between national agencies, departments and ministries and with international organizations. Several States of western Europe reported that data collection has also been improved through the early warning system for new synthetic drugs, the European Police Office (Europol) database system on seizures of Ecstasy and images of Ecstasy tablets, known as the LOGO project, and cooperation with Interpol.

145. Regional cooperation was vital. Half of the Governments (50 per cent) reported that they had adopted measures to enhance regional cooperation. The measures included multilateral exchanges of ATS-related information within the framework of organizations such as the Board, the Association of South-East Asian Nations (ASEAN), CICAD, EMCDDA, Europol and Interpol, or through the regional meetings of Heads of National Drug Law Enforcement Agencies (HONLEA) covered by UNDCP, or directly between competent authorities of States. The momentum built through those initiatives should ultimately improve the quality of information provided by Governments in the annual reports questionnaire. In several cases, bilateral arrangements have been established between neighbouring countries for the exchange of information, mostly on intelligence and investigation patterns.

146. UNDCP has been engaged in initiatives to assist Governments in east and south-east Asia, a region confronting the illicit manufacture, trafficking and abuse of ATS and their precursors, but with a limited regional framework to meet the challenge. The Conference on Amphetamine-type Stimulants in East and South-East Asia, hosted by the Government of Japan and held in Tokyo from 24 to 27 January 2000, recommended actions to be implemented by Governments of the region and in other parts of the world to counter the increased illicit manufacture, trafficking and abuse of ATS. That initiative contributed to a landmark agreement between the ASEAN member States and China to tackle the problem, made at the meeting entitled "International Congress: In pursuit of a drug-free ASEAN 2015: Sharing the vision, leading the change", jointly convened by the Government of Thailand, ASEAN and ODCCP, and held in Bangkok from 11 to 13 October 2000. The Congress was held against a background of rising concern among ASEAN leaders about the growing drug problem in the region arising from the rapid spread of new drugs, in particular ATS. In the action plan adopted by the Congress, the Governments of ASEAN member States and China followed the example set by the General Assembly at its twentieth special session, by establishing clear objectives

and target dates for themselves, and agreed to strengthen their coordinated efforts in different areas of activity related to ATS.

147. At its twentieth special session, the General Assembly emphasized the importance of the expeditious exchange of information on illicit transactions involving ATS. Less than one third of the Governments (28 per cent) replying to the biennial questionnaire reported that they had adopted national laws and regulations to improve the exchange of information between States on transactions involving ATS and to strengthen the control system for such substances and their precursors, including the application of the "know-your-client principle". The measures taken include the introduction of an import-export notification process and the requirement that customer needs be specified and end-user certificates be submitted prior to authorization of the sale of the substance.

148. Implementing the Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and Their Precursors is a shared responsibility. A third (32 per cent) of the States replying to the biennial questionnaire have provided assistance to other States with limited expertise in dealing with the complex technical problems posed by the illicit manufacture, trafficking and abuse of ATS. Assistance to Governments has usually consisted in the exchange of information and intelligence, training programmes, conferences on ATS control, joint operations and controlled deliveries, transfer of technology and the dispatching of experts on ATS control.

E. Control of precursors

149. In paragraph 14 of the Political Declaration adopted by the General Assembly at its twentieth special session, Member States decided to devote particular attention to measures for the control of precursors adopted at the special session, and to establish 2008 as a target date for States to eliminate or reduce significantly the illicit manufacture, marketing and trafficking of psychotropic substances, including synthetic drugs, and the diversion of precursors. The measures adopted at the special session strengthen the framework for multilateral cooperation to prevent the diversion of precursor chemicals from legitimate commerce, as provided for in article 12 of the 1988 Convention.

150. Precursors are trafficked as widely as the illicitly manufactured drugs themselves. The use of specialized brokers and the exploitation of free trade zones is common in that regard. In general, the diversion of precursors takes place in countries where control systems are deficient. Accordingly, it is essential that each country establish an effective, flexible system that regulates the flow of key precursor chemicals, without undue burdens on legitimate commerce.

151. The General Assembly noted the progress made by the Board in developing practical guidelines for use by national authorities in preventing the diversion of precursors and essential chemicals. The Board has over the years made a number of recommendations for action by Governments to prevent the diversion of substances listed in Tables I and II of the 1988 Convention. In particular, the report of the Board for 1998[7] on the implementation of article 12 of the 1988 Convention contains a summary of such recommendations, which were endorsed by the Commission and adopted by the Council. The Board reports annually to the

Commission on the implementation of the provisions of article 12 of the 1988 Convention, and continues to play a central role in the implementation of the measures adopted by the General Assembly for the control of precursors. For the international control of precursors to be effective, Governments should implement the recommendations of the Board for the control of precursors, which include the control of intermediaries.

152. UNDCP has worked in close consultation with the Board on precursor control projects in south-east Asia and in central, south and south-west Asia, assisting in setting up control and cooperation mechanisms at the regional level. In that regard, UNDCP organized the Precursor Control Legislative Awareness Regional Conference, held in Colombo in July 1998, as part of the UNDCP regional project on precursor control for south and south-west Asia. The meeting raised awareness of precursors and promoted the updating and harmonization of related laws and regulations. During 1999 and 2000, the regional project focused on the seven States of the South Asian Association for Regional Cooperation, conducted awareness seminars and the training of trainers and laboratory personnel, and distributed of equipment and computer software in some of the project countries to assist in establishing database systems for precursors developed by UNDCP. UNDCP technical assistance programmes in the field of precursor control have increased knowledge of the latest trends in the trafficking of precursor chemicals.

153. A large number of the Governments responding to the biennial questionnaire (76 per cent) indicated that they had adopted legislation for the control of precursors. More than half of the reporting States (59 per cent) indicated that they had enacted new, or revised existing, laws and regulations related to precursor control. Some Governments reported that they were in the process of reviewing pertinent legislation. However, nearly 38 per cent of the reporting States indicated that they had not enacted or revised their domestic laws or regulations for precursor control.

154. Eighty-eight of the total of 109 reporting States indicated that they had established a system of prior authorization of imports and exports. Such mechanisms included setting annual quotas for the import, export, manufacture and use of precursors and essential chemicals and obtaining prior authorization. Licences or permits were issued by various ministries, for imports or exports of precursors listed in Table I of the 1988 Convention, and notifications were requested five days in advance of the date on which the operation was to be carried out.

155. Pre-export notices or inquiries concerning individual transactions have enabled the competent authorities of importing countries to verify the legitimacy of those transactions and to identify suspicious shipments, thus preventing diversions. The number of Governments that regularly send pre-export notices or inquiries concerning the legitimacy of individual transactions has increased continuously. In its reports for 1999[8] and 2000[9] on the implementation of article 12 of the 1988 Convention, the Board noted with satisfaction that an increasing number of authorities in major trans-shipment points, such as Singapore, Slovenia, Switzerland, States members of the European Union and the United Arab Emirates, have joined other major exporting countries or trans-shipment points, such as China, Hong Kong Special Administrative Region (SAR) of China, the Czech Republic, India, the Islamic Republic of Iran, South Africa and the United States, which had already introduced such mechanisms.

156. For pre-export notices to be effective in preventing diversion, timely feedback should be given by the importing countries concerned, confirming that they have no objection to the transaction in question; if otherwise, the authorities of the exporting countries should be requested to take appropriate action. The Board has noted that the number of Governments in importing countries establishing import controls and providing such feedback has risen. Here too progress has been noticeable, although there remains scope for improvement.

157. Governments were requested to report on established working procedures for monitoring and identifying suspicious transactions involving precursors. A large number (66 per cent) of Governments replied positively, citing examples of working procedures. The latter included: the development of education and training programmes for personnel of companies manufacturing precursor chemicals; a voluntary programme of cooperation with the chemical industry; prior registration of every importer and/or exporter of precursors; reporting to the competent authorities of importers or exporters involved in suspicious transactions; periodic reports by importers on the status of their stocks and on movements in controlled substances and precursors; a system of issuing "No Objection Certificates" for the import and export of selected precursor chemicals; screening of all applications for export licences; reporting of unusual or excessive losses or disappearances of listed chemicals; and regulated procedures connected with the import, export and domestic marketing of precursors; use of controlled deliveries and undercover operations; investigation and prosecution of violations of regulations on controlled substances and pharmaceutical products.

158. A number of reporting Governments (31 per cent) replied that they had established a code of conduct to enhance cooperation with the chemical industry. Some Governments reported that such cooperation was elaborated in the form of memoranda of understanding with the chemical and pharmaceutical industries and the competent authorities. Some other States were in the process of preparing codes of conduct.

159. Governments were requested to report on whether measures had been taken to introduce the know-your-client principle, including measures such as an obligation to provide or request end-user certificates. Fifty-one Governments, nearly half of those replying to the questionnaire, indicated that they had taken such measures.

160. More than half (60 per cent) of the reporting Governments have introduced specific measures, including sanctions, by amending or revising existing legislation or adopting new laws, regulations or working procedures to prevent the diversion of precursors. In Pakistan, acetic anhydride was placed on a restricted list for the purpose of import; the same control regime as that applied to narcotic drugs was applicable to acetic anhydride and acetone. In India, acetic anhydride, *N*-acetylanthranilic acid, ephedrine and pseudoephedrine have been declared as controlled substances with mandatory controls over their manufacture, distribution and transport. In Cape Verde, there were plans to adopt civil, penal and administrative measures to punish illegal activities of individuals or corporations involved in the diversion of precursors. Examples of specific measures and sanctions introduced by other States to control precursors included, inter alia: the use of controlled deliveries; the cancellation of certificates; judicial actions against enterprises; the imposition of fines and investigations; pre-export and pre-import notifications or import and export permits; the establishment of quotas and strict

control systems; sanctions including stopping, suspending or seizing suspicious shipments of precursors; and a "letter-of-no-objection" procedure to authorize imports of chemicals.

161. The General Assembly at its twentieth special session recommended several measures to Member States to improve mechanisms and procedures for monitoring trade in precursors. Those measures included the regular exchange of information between exporting, importing and transit States, and with the Board, on exports of precursors before they take place.

162. Sixty-four per cent of the reporting Governments (70 States) indicated that they had invoked article 12, paragraph 10, of the 1988 Convention, requesting prior notice of export for substances in Table I. However, only 42 States have so far notified the Secretary-General that they had invoked article 12, paragraph 10, of the 1988 Convention. That implies that, for the additional 28 States, there is currently no obligation under the Conventions for the exporting countries to supply pre-export notifications to those countries. Several Governments have, in addition to those requirements, introduced pre-export notifications for acetic anhydride, potassium permanganate and other substances in Table II of the 1988 Convention. The Commission in its decisions 44/5 and 44/6 respectively decided to transfer acetic anhydride and potassium permanganate from Table II to Table I. Colombia has reiterated the need for prior notification of exports of chemicals, due to the failure of certain producer and transit countries to comply with this procedure.

163. Governments were asked to report whether their law enforcement authorities had put in place procedures to investigate diversions of chemicals and clandestine laboratories, including procedures for sharing information on findings of investigations and for liaison with industry. More than half of the Governments (52 per cent) replying to the questionnaire indicated that law enforcement measures had been adopted. It is, however, difficult to gauge the effectiveness of such measures. The following steps have been taken: the establishment of intelligence databases; special provisions for prosecution in case of diversion of precursors; setting up various systems for the exchange and sharing of information; liaison with the chemical industry; and introducing procedures for investigating diversion of chemicals and reporting of suspicious transactions.

164. At the regional level, CICAD is implementing the Inter-American Drug Control Telecommunications Network, a computer- and radio-based network that allows direct and timely communication between participating agencies for the exchange of information regarding the movement of illicit drugs and their precursor chemicals along the border areas of seven South American countries, namely Bolivia, Brazil, Chile, Colombia, Ecuador, Peru and Venezuela. A second initiative concerned the Regional Andean Counter-Drug Intelligence School, based in Lima, an example of regional cooperation initiated by the States of the region, inaugurated on 14 December 1999. The School will enhance the capacity of law enforcement agencies in the region in countering drug trafficking.

165. With regard to the adoption of procedures to identify and report the use of substitute chemicals in, and new methods of, illicit drug manufacture, 54 per cent of the Governments replying to the questionnaire indicated that no action had been taken. Only 30 per cent of the States reported that action had been taken, including: liaison among law enforcement agencies and annual exchange of information on

substances frequently used in the manufacture of illicit drugs; laboratory analysis for identification of substitute chemicals; exchange of information; establishing a special surveillance list; reporting on the use of substitute chemicals to the Board; operations by security agencies to seize illicit chemicals; and monitoring of trends in the illicit manufacture of controlled substances by analysing and identifying chemicals seized at clandestine laboratories.

166. Only 25 per cent of the States reported that seizures were made as a direct result of cooperation with other Governments in the control of precursors. A total of 59 per cent of the replies indicated that such was not the case, reflecting the need for renewed efforts to foster cooperation, in particular the exchange of information related to suspicious transactions between competent authorities. It was reported that, in Japan, no case involving the illicit manufacture of drugs had been found during the last two decades. At the international level, the landmark event was the successful prevention of diversion and seizure of potassium permanganate, during the international tracking programme known as Operation Purple, through an intensive monitoring programme for international trade, controlled deliveries and interception of smuggled consignments, as a direct result of cooperation among Governments. Cross-border cooperation with third countries as well as collaboration among law enforcement institutions also proved to be successful and resulted in seizures.

167. The directory of competent authorities established pursuant to article 12 of the 1988 Convention, compiled by the Board and published by the United Nations, should be used as a practical tool for cooperation in the control of precursors. The Council, in its resolution 1992/29 of 30 July 1992, urged States to ensure that the competent authorities, in considering applications for export authorizations, take steps to verify the legitimacy of transactions, in consultation with their counterparts in importing countries. Experience has shown that direct contact is often the most expeditious means of identifying and stopping suspicious transactions involving scheduled substances, leading to their eventual seizure, where appropriate. Governments should, however, ensure that information on the competent authorities is regularly updated.

168. Governments were asked to report on whether resources for technical assistance in precursor control had been provided to other States. To enhance cooperation, 20 per cent of the States replying to the questionnaire indicated that they had provided technical assistance to other States in the field of precursor control. Examples of such assistance included: international seminars and workshops focusing on the preliminary identification of controlled substances; joint action for monitoring chemicals; countering drug trafficking at the frontiers; field exercises involving the auditing of companies handling precursors; provision of training in the field of precursors to enforcement officers in the context of the Poland-Hungary Aid for the Reconstruction of the Economy (PHARE) programme in central Europe; police and customs cooperation; and training assistance programmes focusing on countries in Latin America and south-east Asia.

1. Operation Purple: monitoring potassium permanganate

169. 238. To deny cocaine traffickers access to potassium permanganate, in line with the measures for precursor control adopted at the twentieth special session, 23 Governments and competent international bodies, in consultation with the Board,

took the initiative in 1999 to systematically track individual shipments of potassium permanganate, a key chemical used in the illicit manufacture of cocaine, from the manufacturing country to the country of final destination. The international tracking programme for potassium permanganate, known as Operation Purple, required stringent monitoring and tracking of all consignments greater than 100 kilograms from the manufacturing country, through all trans-shipment points to the end-user. It included scrutinizing all operators handling the transactions and informing all relevant counterparts of suspicious transactions or stopped shipments.

170. Operation Purple is one of the most successful operations undertaken so far within the framework of international precursor control. During the first phase of operations (April-December 1999), almost 8,000 tons of potassium permanganate were tracked, and 32 shipments totalling 2,200 tons were stopped at the source or seized by the importing country. One of the main achievements was the real-time exchange of information and the integration of the activities of law enforcement and regulatory authorities, including licensing authorities, and between participants, in tracking individual shipments and in investigating the legitimacy of the operators involved. Operation Purple has demonstrated that tracking of individual shipments is feasible for commonly used chemicals, such as potassium permanganate, and not only for substances that might have more limited licit uses.

171. In view of the success of Operation Purple, participants have extended the initiative for an unspecified period of time, in a slightly modified manner. Phase 2 of the operations, with additional participating countries invited to collaborate, started in January 2000.

172. A number of actions not directly related to Operation Purple were taken by regulatory authorities to strengthen controls over potassium permanganate. For example, in Latin America, the Governments of Colombia and Peru have initiated studies to determine legitimate needs for potassium permanganate in their countries. The competent authorities of Colombia have also cancelled import permits for certain companies previously authorized to import that substance, and considerably reduced the quotas of remaining firms authorized to import potassium permanganate. The authorities of Guatemala have established an annual quota for imports of potassium permanganate, and the Governments of Brazil and Venezuela have enacted national action plans to prevent diversion of the substance.[19]

173. The Government of Colombia organized and hosted an International Training Seminar about Control Mechanisms, held in Bogotá in June 1999, to prevent smuggling and diversion of potassium permanganate. The main objective of the Seminar was to bring together the countries in which illicit manufacture of cocaine occurs in the subregion, and to consider a common strategy to prevent diversion and smuggling of potassium permanganate. The increased attention given to potassium permanganate in response to the measures adopted at the twentieth special session and, more specifically, because of Operation Purple has resulted in the prevention of large amounts of that substance from being diverted to the illicit manufacture of cocaine.

174. Large seizures of other substances listed in Table II of the 1988 Convention and used in the illicit manufacture of cocaine continue to be reported in the Andean region. Colombia, in particular, reported its largest-ever seizures of acetone, sulphuric acid and toluene, in addition to potassium permanganate. The Government

of Venezuela has identified front companies established for the sole purpose of obtaining the chemicals required in the illicit manufacture of cocaine.

2. Operation Topaz: monitoring acetic anhydride

175. In response to the measures to control precursors adopted by the General Assembly at its twentieth special session and the success of Operation Purple, an initiative to establish a similar global programme to prevent diversion of acetic anhydride, a chemical used in the illicit manufacture of heroin, has been launched. The initiative, called Operation Topaz, was launched at a meeting convened by the Board and hosted by the Government of Turkey at Antalya in October 2000. The meeting was attended by countries that are major manufacturers and traders of acetic anhydride, that have seized acetic anhydride, and that are located in areas where illicit manufacture of heroin takes place. Operation Topaz consists in an intensive international tracking programme, similar to Operation Purple, to trace shipments of acetic anydride from the manufacturing countries to their final destination, and to prevent diversions from licit international trade. In addition to the international tracking programme, Operation Topaz promotes law enforcement investigations aimed at intercepting smuggled consignments and tracking seizures back to the sources from which the acetic anhydride was diverted, with a view to developing adequate controls to prevent diversion from domestic distribution channels.

176. Since the special session, Member States have paid increased attention to acetic anhydride. The annual seizures of acetic anhydride, reported to the Board for 1998 were the highest ever, with over 155 tons being seized.

3. Transfer of acetic anhydride and potassium permanganate from Table II to Table I of the 1988 Convention

177. In 1998, the Commission, in reviewing the adequacy and propriety of the Tables of the 1988 Convention, initiated an assessment of the scheduling of acetic anhydride and potassium permanganate. The Council, in its resolution 1999/31 of 28 July 1999, in recognizing the proposals put forward in the Lucknow Accord on the Adoption of Uniform Measures to Control International Trade in Precursors and Other Chemicals Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances, requested the Board to consider the necessary measures, in accordance with article 12 of the 1988 Convention, for the transfer of acetic anhydride and potassium permanganate from Table II to Table I of the 1988 Convention. The Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East, in its resolution 35/1, adopted at its thirty-fifth session, held in Antalya, Turkey, in June 2000, endorsed measures to control acetic anhydride. Following its review of the two substances, the Board concluded that the information available required the transfer of the two substances from Table II to Table I of the Convention. The Commission considered the recommendations of the Board during the first part of its forty-fourth session in March 2001.

4. Ephedrine, pseudoephedrine and norephedrine

178. The abuse and illicit manufacture of methamphetamine continues in east and south-east Asia, North America and western Europe. Some States are controlling international trade in and domestic distribution of pharmaceutical preparations

containing ephedrine and pseudoephedrine, which traffickers increasingly use as a precursor in the illicit manufacture of methamphetamine. Those include India, which is tightly monitoring exports of all pharmaceutical products containing ephedrine or pseudoephedrine, and Australia, Costa Rica, the Democratic Republic of the Congo, Ghana, Mexico, Nigeria, Sri Lanka, Thailand and the United States, which have introduced import controls for some of those products.

179. While the mechanisms introduced in south and south-east Asia have been successful in identifying and stopping attempted diversions of ephedrine and pseudoephedrine, large seizures of ephedrine used in the illicit manufacture of methamphetamine in that region continue to be reported to the Board. For example, over 80 per cent of the global seizures of ephedrine reported for 1998 were made in south and south-east Asia, with China seizing over 5 tons, Myanmar over 4 tons, and India over 1 ton. In the United States, over 18 tons of pseudoephedrine were seized in 1998.

180. Norephedrine is used in the illicit manufacture of amphetamine, in response to difficulties in obtaining ephedrine and pseudoephedrine for the manufacture of methamphetamine, particularly in North America. The Commission, at its forty-third session, acting on the recommendation of the Board, decided to include norephedrine in Table I of the 1988 Convention. As noted by the Board in its 1999 report on the implementation of article 12 of the 1988 Convention, the competent authorities in a number of States and territories, including Argentina, Bahamas, Canada, Colombia, Hong Kong SAR of China, Mexico, Peru, Saudi Arabia, the United States and Uruguay, have already taken steps to control the substance.

5. International cooperation in precursor control

181. Traffickers often use complicated routing, including the trans-shipment of chemicals that they wish to divert through third countries to disguise their final destination. To improve the effectiveness of precursor control, Governments should monitor all shipments of scheduled chemicals regardless of the destination, and not only those destined to regions where illicit manufacture of drugs is known to take place, in order to avoid loopholes in the monitoring system. Intermediaries can play a vital role not only in the diversion of those substances, but also in the detection of diversion attempts.

182. As noted by the General Assembly in the measures on the control of precursors adopted at its twentieth special session, the rapid and timely exchange of information between importing and exporting States is the key to effective precursor control, allowing States to verify the legitimacy of individual transactions and identify suspicious consignments of precursors. It is frequently the quick exchange of information between the competent authorities that enable them to identify suspicious transactions.

183. Controlled deliveries have led, in most cases, to the uncovering of laboratories for the illicit manufacture of drugs and to the identification and arrest of traffickers involved in the diversion of precursors. Where controlled deliveries may not be practicable or warranted, Governments should follow up such cases by investigating suspicious shipments to identify those responsible and to prevent similar attempts being made elsewhere.

184. The recognition of the importance of precursor control has led the competent authorities and international and regional organizations to undertake various initiatives, in particular the organization of meetings and forums to address the issue. Participating in all the initiatives has been very taxing to several authorities. In order to optimize the resources available at the national, regional and international levels and ensure a coordinated effort, as called for by the General Assembly at its twentieth special session, UNDCP, in consultation with the Board, should be mandated to establish a calendar of meetings or other initiatives in the field of precursors. That would prevent fragmentation, with too many ad hoc meetings organized by various authorities, and promote the integration of all new initiatives within a global framework.

185. The Internet, in addition to supplying the necessary information on how to manufacture illicit drugs, also enables traffickers to purchase the chemicals that they require via web sites of chemical suppliers, thus making detection of suspicious shipments even more difficult for the competent authorities. Governments should adopt measures to counter the use of the Internet for the illicit trade in precursors.

F. Countering money-laundering

186. The General Assembly, at its twentieth special session, recognized that the laundering of large sums of money derived from drug trafficking and other serious crime constitutes a global threat to the integrity, reliability and stability of financial and trade systems and even to the structure of government, and that countermeasures by the international community are required in order to deny safe havens to criminals. In response to that threat, Member States, in the Political Declaration adopted at the special session, undertook to make special efforts against the laundering of money derived from drug trafficking. The General Assembly further recommended that States that have not yet done so should adopt, by the year 2003, national money-laundering legislation and programmes in accordance with the relevant provisions of the 1988 Convention and with the measures for countering money-laundering adopted at the special session.

187. On the occasion of the special session, UNDCP published a study entitled *Financial Havens, Banking Secrecy and Money-laundering*, providing a comprehensive analysis of the problems caused by the laundering of criminal proceeds in the offshore financial sector. As a follow-up, the ODCCP Global Programme against Money Laundering, at a conference held in the Cayman Islands in March 2000, with the participation of jurisdictions providing international financial services, launched the United Nations Offshore Forum (subsequently renamed the Global Programme against Money Laundering (GPML) Forum), a global initiative to prevent the misuse of international financial centres for the laundering of criminal proceeds. A communiqué issued by the States and territories participating in the conference called for a global and non-discretionary approach to the adoption of internationally accepted standards of financial regulation and measures against money-laundering. By 1 September 2001, 33 States and territories had made a formal commitment to join a United Nations global initiative to adopt such internationally accepted standards. Those States qualify to receive technical assistance from the United Nations in matters relating to establishing or enhancing their capacity to counter money-laundering. In that regard, a major project to

examine the feasibility of establishing a regional financial intelligence unit was initiated in the eastern Caribbean. The project builds on the UNDCP promotion of subregional initiatives, which, in 2000, included the organization of workshops for the States of the Persian Gulf and the Andean subregion.

188. The political will of the international community to combat money-laundering is reflected in multilateral initiatives that provide legal and policy frameworks for States to use in defining and adopting measures against money-laundering. For example, the 40 recommendations of the Financial Action Task Force on Money Laundering (FATF) are designed to develop and promote policies to combat money-laundering. The Caribbean Financial Action Task Force, consisting of 25 jurisdictions, the Asia-Pacific Group on Money Laundering, established in February 1997 and consisting of 17 members from south, south-east and east Asia and the south Pacific, the Eastern and Southern Africa Anti-Money Laundering Group, consisting of 7 jurisdictions, and the ECOWAS Intergovernmental Task Force against Money Laundering in Africa are regional bodies, similar to FATF, that have contributed to anti-money-laundering initiatives at the regional and global levels. Likewise, the Council of Europe Select Committee of Experts on the Evaluation of Anti-Money Laundering Measures has made significant progress with its mutual evaluation programmes and on-site visits. Efforts to counter money-laundering have also been supported by CICAD, which introduced a process of peer review of progress in the implementation of national money-laundering programmes by its member States and revised its model regulations on the control of money-laundering, by the Commonwealth, and by the Basle Committee on Banking Supervision, the International Association of Insurance Supervisors, the International Organization of Securities Commissions and the Offshore Group of Banking Supervisors. Important progress is being made by States and territories within the framework of the above-mentioned regional and international initiatives designed to promote and strengthen effective measures against money-laundering. States are encouraged to participate actively in such initiatives.

189. In section V of the biennial questionnaire, dealing with money-laundering, Member States were requested to report on the following matters: (a) legislative measures taken to make money-laundering a criminal offence; (b) measures taken to prevent and detect money-laundering; and (c) international cooperation as an essential tool to combat money-laundering.

1. Legislative measures

190. All parties to the 1988 Convention are required to establish money-laundering as a punishable offence and to adopt the measures necessary to enable the authorities to identify, trace and freeze or seize the proceeds of drug trafficking. Efforts have been made by a large number of States to adopt and apply domestic legislation that identifies money-laundering as a criminal offence. Most States (80 per cent) replying to the questionnaire indicated that laundering the proceeds derived from drug trafficking was a criminal offence in their jurisdictions (see figure X). In many of those States (48 per cent), such legislation has led to money-laundering investigations, prosecutions or convictions in their jurisdictions (see figure XI). Some States (16.5 per cent), having only recently introduced such legislation, could not yet report on any cases involving prosecution. Nearly half

(48 per cent) of the reporting States had undertaken investigations, prosecutions or convictions.

Figure X

States in which it is a criminal offence to launder the proceeds of drug trafficking
(Regional breakdown, in percentages)

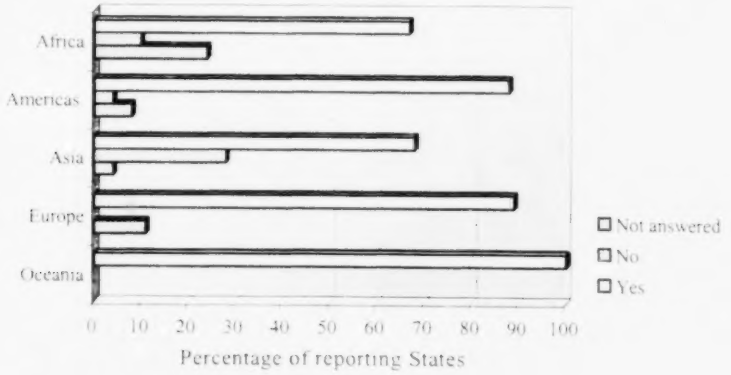
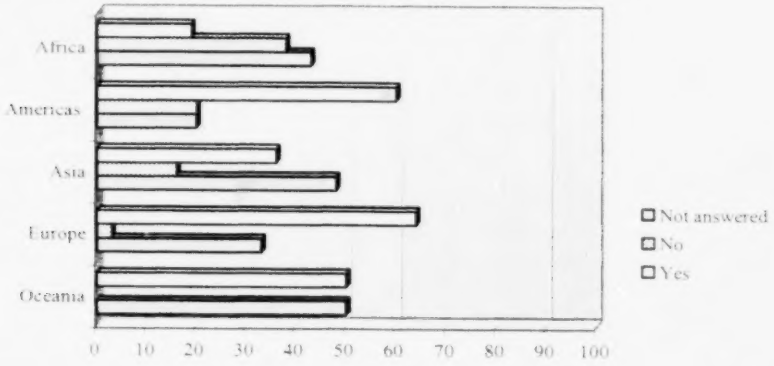


Figure XI

States in which legislation has led to investigations, prosecutions or convictions
(Regional breakdown, in percentages)



191. In several States (63 per cent of the respondents), laundering of the proceeds from other serious crimes was also a criminal offence, while such conduct was not a criminal offence in other States, as specifically indicated by 17 per cent of those replying to the questionnaire. To strengthen their ability to counter money-laundering, several States (17 per cent) were in the process of enacting new legislation or updating existing money-laundering laws and regulations. Some States without legislation to deal with laundering of the proceeds of crime indicated that they had no plans to introduce such legislation in connection with serious crimes other than drug trafficking. Increased efforts will have to be made if all States are to have national money-laundering legislation and programmes in their arsenal of

penal measures by 2003, as requested in the Political Declaration adopted by the General Assembly at its twentieth special session.

192. Governments were asked to report whether their relevant authorities have statistical data on the legal action taken to combat money-laundering, including investigations, prosecutions and convictions. Forty-eight per cent of the States replying to the questionnaire indicated that they kept statistical data on the investigation of cases involving money-laundering, and over a third (35 per cent) that they did not. The number of investigations varied considerably, from less than 10 in some jurisdictions to hundreds in others. Germany reported 481 preliminary investigations in 1999, and Turkey 872 investigations. Less than half (43 per cent) of the States replying to the questionnaire reported that they had statistical information on prosecutions for money-laundering offences. However, over a third (38 per cent) did not. As could be expected, the rate of reported prosecutions was lower than the number of investigations. For example, Ecuador reported investigating 511 cases, but prosecuting 39, while Greece undertook 373 investigations and 23 prosecutions. On the higher end of the scale, the United Kingdom reported 357 prosecutions and the United States 2,412. Thirty-eight per cent of the States replying to the questionnaire indicated that they had statistical data on convictions for money-laundering offences, whereas 40 per cent did not. Most States reported less than 10 convictions during the past year, with a few reporting only one or two.

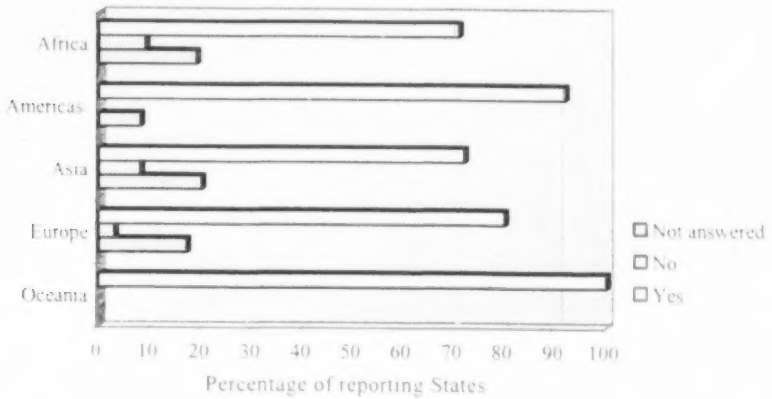
193. States were asked to report whether their legislation provided for the freezing, seizure and confiscation of the proceeds derived from illicit drug trafficking, in line with the provisions of the 1988 Convention, and from other serious crimes (see figure XII). Eighty per cent of the States replying to the questionnaire reported that their legislation provided for the freezing, seizure and confiscation of the proceeds of illicit drug trafficking, in line with the provisions of the 1988 Convention. Some States (5 per cent), such as Sao Tome and Principe and Sri Lanka, reported that their legislation did not do so, and 16 per cent did not answer the question. A large number of States (61.5 per cent) reported having either frozen, seized or confiscated proceeds of drug trafficking. In some States (12 per cent), such measures had not been taken. Many of the respondents (62 per cent) had adopted measures for the freezing, seizure or confiscation of assets for other serious crimes. Some States (11 per cent) reported that such measures were not applicable to serious crimes other than drug trafficking.

194. Of the 161 States parties to the 1988 Convention as of 1 September 2001, 111 have submitted to the Secretary-General copies of legislation that they have adopted against money-laundering, in accordance with article 5, paragraph 4 (e), of that Convention. Although the effectiveness of the legislation adopted in the various States cannot be accurately assessed, positive results may be inferred from the reported increase in the seizure and confiscation of proceeds of criminal offences, in particular drug-trafficking offences, in a number of States. Some of those States have enacted penal provisions on money-laundering and comprehensive confiscation laws. Some have also introduced mandatory reporting provisions concerning currency transactions across borders. While several States have imposed a requirement for financial institutions to report suspicious transactions, others have developed voluntary reporting systems.

Figure XII

States with legislation providing for the freezing, seizure and confiscation of the proceeds of illicit trafficking, in accordance with the 1988 Convention

(Regional breakdown, in percentages)

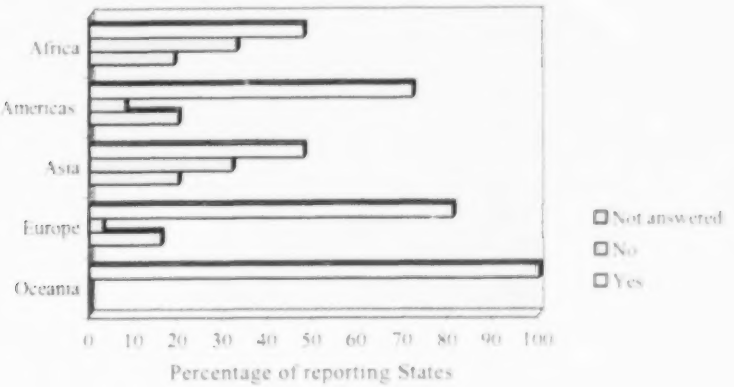


195. Significant progress has been made by Governments in adopting legislation permitting the seizure of assets resulting from money-laundering. The legislation of most of the States that replied to the questionnaire (76 per cent) provided for the seizure of assets resulting from money-laundering. Many States (61.5 per cent) reported having either frozen, seized or confiscated proceeds of drug trafficking. The legislation in some States (12 per cent), however, did not permit the seizure of assets resulting from money-laundering. Twenty-seven per cent did not answer the question.

196. Governments were invited to report whether their relevant authorities maintained statistical data on seized and confiscated proceeds as a result of legal action taken to combat money-laundering. Less than one third (31 per cent) of the States replying to the questionnaire indicated that their relevant authorities maintained statistics on seized or confiscated proceeds resulting from legal action to combat money-laundering. However, many States (45 per cent) had no such information. Some States with such information reported seizing of large sums, totalling millions of dollars.

197. Money-laundering was an extraditable offence in a large number of the responding countries (65 per cent), although different qualifications may apply in different jurisdictions (see figure XIII). For example in Venezuela, extradition was only applicable to foreign nationals; and, in Colombia, one of the requirements for extradition was that the act should also be regarded as a crime in Colombia, punishable by at least four years' imprisonment. In some States (16.5 per cent), money-laundering was not an extraditable offence.

Figure XIII
States in which money-laundering is considered an extraditable offence
(Regional breakdown, in percentages)



198. As to whether their national legislation establishes any requirements to declare the cross-border transport of cash and negotiable bearer instruments when they exceed a specified value, half of the States (49 per cent) replying to the questionnaire indicated that there was such a requirement for cash transactions. A third of the States (31 per cent) indicated that there was a requirement to declare negotiable bearer instruments. In other States, there was no such requirement for cash transactions (27.5 per cent of the replies) and negotiable bearer instruments (37 per cent of the replies). Penalties for failure to declare cash transactions ranged from fines and/or forfeiture of all or part of the value of the undisclosed sum, to imprisonment for periods of two to seven years. In some cases, the offence was criminal; in others, it was an administrative offence; and, in others, offenders were liable to summary conviction. In a number of States, cross-border transport of negotiable bearer instruments was covered under customs legislation as smuggling or a violation of foreign exchange controls.

2. Measures to prevent and detect money-laundering in financial entities

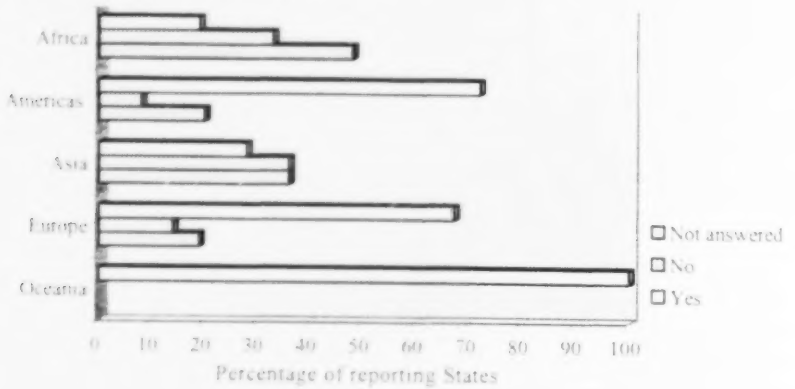
199. Governments were asked to report on measures adopted to the following ends: reporting of suspicious and/or unusual transactions; putting into practice the principle of know-your-client; removing impediments to criminal investigations that are related to bank secrecy; enabling the identification of the beneficial owners of accounts; and establishing a central unit (finance intelligence unit) to collect and analyse reports and intelligence on suspected cases involving money-laundering. Many States (63 per cent) have adopted measures to enable the reporting of suspicious and/or unusual transactions. However, 18 per cent have not. The numbers of such transactions varied widely between countries. For example, Belize reported one such transaction, Nigeria 20, Bolivia 35, Slovakia 800, Japan 1,059 and the Czech Republic 4,000; and Spain reported 1,311 suspicious transactions and 39,794 unusual transactions in 1999 and the United Kingdom 14,500 such transactions in the same year. The figures may be influenced by differing requirements, that is, mandatory reporting as opposed to suspicion-based reporting. Canada will be

establishing a centralized reporting system on suspicious transactions, which would facilitate the collection of data. Regarding the principle of know-your-client, only 50 per cent of States replying to the questionnaire had taken measures to put the principle into practice (see figure XIV).

Figure XIV

States that have put into practice the "know-your-client" principle

(Regional breakdown, in percentages)

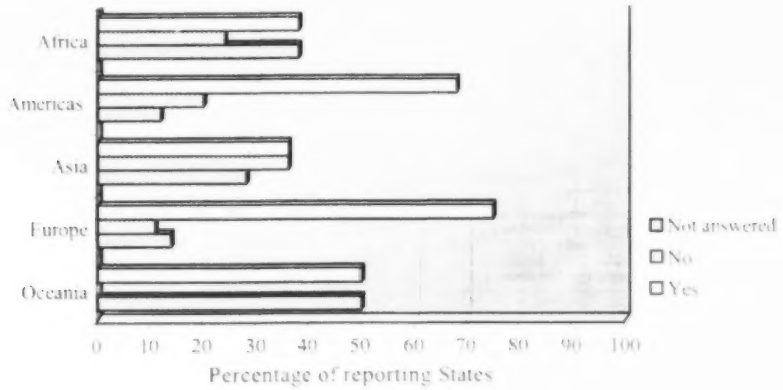


200. Approaches to implementing the principle varied. For example, the State Bank of Pakistan has issued regulations to require banks to make reasonable efforts to determine the identity of their customers and taken related measures. In the United States, while there were no formal regulations, it was the understanding that financial businesses would examine unusual or suspicious transactions to protect their reputation. In other cases, as in Australia, all financial entities were required to verify the identity of customers who were holders of an account and to report any suspicious or unusual transactions. In other countries, such as Colombia, financial institutions were required to keep records of transactions over a specified amount. Such records included the identity, signature and address of the person physically carrying out the transaction, the name and address of the person on whose behalf it was carried out and the name of the beneficiary, as well as other relevant information.

201. Bank secrecy has been one of the major obstacles to criminal investigations in money-laundering offences. Several States (57 per cent) replying to the questionnaire reported that they were removing impediments to criminal investigations related to bank secrecy; some States (21 per cent) reported that they had not yet done so (see figure XV). Of the States that were taking such action, most reported that the legal requirement to report suspicious transactions expressly overrode any commercial confidentiality. In Chile, for example, the State Defence Council could request from the higher courts the authority to lift bank secrecy in specific cases under investigation. A related action was the adoption, by more than half of the States (54 per cent) replying to the questionnaire, of measures enabling the identification of beneficial owners of accounts, corporate bodies and other financial assets. Other States (20 per cent) had not taken measures to enable such identification.

Figure XV

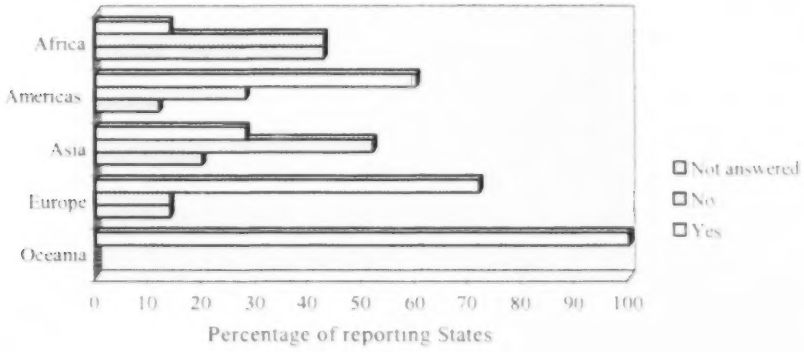
States that have removed impediments to criminal investigations related to bank secrecy
(Regional breakdown, in percentages)



202. Many States have established specialized agencies to deal with money-laundering. An important development was the establishment of more than 48 operational financial intelligence units worldwide, as centralized agencies that, at a minimum, receive, analyse and disclose to the competent authorities information provided by financial institutions concerning possible money-laundering and other financial crimes. Many others are in various stages of development. The units serve as a link between the law enforcement, financial and regulatory communities, providing law enforcement agencies around the world with an important new avenue for the collection and exchange of information. More than half of the States (49 per cent) replying to the questionnaire have established a central financial intelligence unit to collect and analyse reports and intelligence on suspected money-laundering cases (see figure XVI). More effort is, however, necessary, as a third of the States (31 per cent) have not taken such steps, and 20 per cent did not reply to the question.

Figure XVI

States that have established a central finance intelligence unit to collect and analyse reports and intelligence on suspected money-laundering cases
(Regional breakdown, in percentages)



203. Some States, such as Canada, Chile and Pakistan, are in the process of establishing financial intelligence units. The Global Programme against Money Laundering has devoted much of its time to providing assistance to countries in establishing such units. That aspect of the work of the Global Programme has been undertaken in conjunction with the Egmont Group, an informal international umbrella organization for financial intelligence units. A training workshop attended by 124 officers of units around the world was held in Vienna on 10 and 11 January 2001. Another such workshop is planned for 2002.

204. To be effective, States should implement measures to provide for the effective investigation and prosecution of those involved in money-laundering. Half of the States (49.5 per cent) replying to the questionnaire reported that they had adopted measures for the effective investigation and prosecution of money-laundering offences. However, some (25 per cent) had not and 25 per cent did not answer the question. In other States, such as India and the former Yugoslav Republic of Macedonia, the money-laundering legislation before Parliament included such measures. Several States referred to successful investigations and prosecutions. For example, in Australia, the National Crime Authority and a task force to combat money-laundering have identified large amounts of undeclared tax revenue and proceeds of serious crime. In Belize, a supervisory authority facilitated cooperation between financial institutions and law enforcement authorities. In Brazil, money-laundering was a separate offence and may be investigated on the basis of evidence of a predicate offence. To facilitate investigation and prosecution of money-laundering offences, the Government of Canada has established, across the country, Integrated Proceeds of Crime Units comprising representatives from the law enforcement authorities. In 1999, the United States launched the National Money Laundering Strategy, a comprehensive and integrated approach to combating money-laundering, both within the country and around the world, involving law enforcement and banking authorities.

205. A continuing challenge facing several States at the investigative, prosecution and trial phases is the lack of financial resources and trained personnel with the operational know-how required for successful asset forfeiture. Whereas in most regions, there has been consistent progress in the adoption of legislation against money-laundering, including forfeiture legislation, there has been more limited success in the prosecution of money-laundering offences resulting in the final confiscation of assets.

3. International cooperation to counter money-laundering

206. In the area of international cooperation, Governments were asked to report whether they have sent to or received from other States any requests for mutual legal assistance concerning cases of money-laundering, in particular concerning the freezing, seizure or confiscation of criminal assets. Half of the States (50 per cent) replying to the questionnaire had sent or received requests from other States for mutual legal assistance concerning cases of money-laundering, including the freezing, seizure or confiscation of criminal assets; close to a third (30 per cent) indicated that they had neither sent nor received any such requests. Of the States that had done so, the number of requests made ranged from 1 to 74, making an average of 18 requests each. On the higher end of the scale, Finland sent 175 requests in 1999, the United States sent over 200, Luxembourg sent 218 and

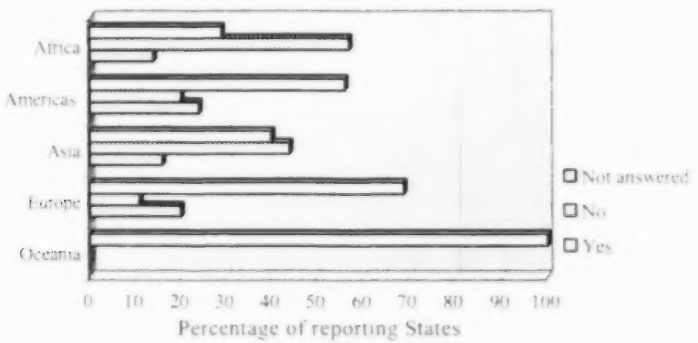
Costa Rica sent 540. The number of requests received averaged 23 requests per country. Among those with a higher number, Mexico received 147 requests, Finland 163, Turkey 175, the Cayman Islands 192, Luxembourg 234, Costa Rica 499 and the British Virgin Islands 500. Of the requests sent, the majority were implemented. A small number of requests were declined because of a failure to meet the national legislative and evidential requirements, either for lack of funds in the targeted account, or for other unspecified reasons. It should be noted that even a low number of requests could yield significant results. For example, Lithuania reported that it had received one request, resulting in the seizure of $31 million.

207. Several States have negotiated comprehensive bilateral mutual legal assistance treaties to facilitate cooperation in criminal matters, some of which deal specifically with the tracing, freezing and confiscation of proceeds from drug trafficking and related crime. In money-laundering cases, they are essential means of obtaining banking and other financial records from parties to such treaties or arrangements. In addition, many of those instruments provide for a wide range of assistance in the investigation and prosecution of money-laundering offences. Several States have also assisted one another in money-laundering investigations on the basis of informal arrangements. Over half of the States (52 per cent) replying to the questionnaire reported that they had concluded treaties, agreements, memoranda or letters of understanding with other States with a view to exchanging financial information and/or mutual legal assistance concerning money-laundering (see figure XVII). Some States (29 per cent) indicated that they had not entered into such agreements or arrangements. The United Nations Convention against Transnational Organized Crime created a universal system for mutual legal assistance in cases involving conspiracy and money-laundering by organized crime. That instrument, which focuses on organized crime, will further enhance international cooperation in combating money-laundering. It is the first international legal instrument to broaden the definition of money-laundering to include proceeds derived from all serious crime, being defined as crime "punishable by a maximum deprivation of liberty of at least four years or a more serious penalty". It is also the first international legal instrument to require States to establish comprehensive regulatory and supervisory regimes for banks and non-bank financial institutions. It requires such regimes to specifically address issues of customer identification, record-keeping and reporting of suspicious transactions.

Figure XVII

States that have concluded treaties, agreements, memoranda or letters of understanding with other States

(Regional breakdown, in percentages)



[1] The following States and territories submitted replies by 8 November 2000: Argentina, Australia, Austria, Bangladesh, Barbados, Belarus, Belize, Bolivia, Brazil, British Virgin Islands, Bulgaria, Canada, Cape Verde, Cayman Islands, Chile, Colombia, Costa Rica, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Ecuador, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Haiti, Hungary, Iceland, India, Indonesia, Ireland, Italy, Japan, Lao People's Democratic Republic, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malaysia, Mexico, Morocco, Myanmar, Namibia, Netherlands, New Zealand, Nigeria, Pakistan, Panama, Philippines, Portugal, Republic of Korea, Romania, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tajikistan, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela. After 8 November 2000, replies were received from the following States and territories: Algeria, Belgium, Brunei Darussalam, Burkina Faso, Cameroon, Chad, China, Hong Kong Special Administrative Region of China, Côte d'Ivoire, Croatia, Egypt, El Salvador, Estonia, Gambia, Guinea-Bissau, Iran (Islamic Republic of), Jordan, Kenya, Maldives, Niger, Norway, Peru, Poland, Qatar, Russian Federation, Saudi Arabia, Thailand and United Arab Emirates.

[2] *Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988*, vol. I (United Nations publication, Sales No. E.94.XI.5).

[3] United Nations, *Treaty Series*, vol. 1019, No. 14956.

[4] The process is reflected in recently adopted national strategies of France, Germany, Portugal, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America and in the European Union Drugs Strategy (2000-2004) approved by the European Council at its meeting in Helsinki in December 1999.

[5] United Nations, *Treaty Series*, vol. 520, No. 7515.

[6] Ibid., vol. 976, No. 14152.

[7] See *Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 1998 on the Implementation of Article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988* (United Nations publication, Sales No. E.99.XI.4).

[8] See *Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 1999 on the Implementation of Article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988* (United Nations publication, Sales No. E.00.XI.3).

[9] See *Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 2000 on the Implementation of Article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988* (United Nations publication, Sales No. E.01.XI.4).

[10] See *Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 1999*.